Imperial Parliament.

HOUSE OF COMMONS.—MAY 16.

THE CANADAS.

Lord J. Russell having moved the order of the day for the House to resolve itself into a committee of the whole House on the Factories Act Amendment Bill,

Mr. Roebuck rose, in pursuance of his notice, to move, as an amendment, that the House resolve itself into a committee of the whole House to take into consideration such parts of 31 Geo. III., c. 31, as related to the executive and legislative councils of the Canadas, for the purpose of rendering the same efficient to the good government of those Provinces. The hon. and learned gentleman commenced by stating that he was labouring under severe indisposition. (We regretted to observe that the effects of his indisposition were very manifest, especially in rendering the honourable and learned gentleman nearly inaudible in the gallery.) He impugned no class of men; what he attacked was the system. By a perseverance in that system, private and partial interests were too frequently admitted to the utter neglect of the general welfare. Before he proceeded further, he hoped leave to state to the House fully and fairly the object which he had in view. That object was to obtain for Canada what he should call a good government—to get a government which should enjoy completely and *bona fide* the confidence and attachment of the people. By the 31st of Geo. III., c. 31, a constitution was granted to the Province of Quebec. Executive and Legislative Councils had been established with a view of forming a system of government and legislation similar to that of the mother country. But that was in no respect the case.—The Executive Council was under the direction of the Colonial-office. The Legislative Council of Lower Canada was supposed to be analagous to the House of Lords in this country; but in point of fact there was no resemblance whatever between the two. The Members of the Legislative Council, unlike the Peers of England, were poor men, possessing no landed property, having no tenantry, exercising no moral influence of any kind whatever over the rest of the community. No man would pretend to say that the Lords had no moral influence in this country. His sentiments with respect to that body were well known; yet he did not for a moment pretend to assert that they did not enjoy a very considerable degree of popularity. That was not the case with the members of the Legislative Council of Lower Canada—they possessed neither popularity nor moral influence. In impugning the acts of that body, then, let it not be supposed that it was his intention indirectly or insidiously to attack any of the national institutions of this country. If he were to carry his statements back to the time when misgovernment began in Canada, he should embrace too long a period and have too long a catalogue of wrongs and grievances to unfold to come within the scope of an ordinary Parliamentary speech. He would confine himself, therefore, to within the last fifty or sixty years. Although a constitution was granted to the Canadas in the year 1791, it was not till the year 1810 that they were permitted even to think of paying their own expenditure. When, indeed, they first asked to be allowed the exercise of such a privilege, what was the answer they received? Three of the persons who had been most earnest in making the request were sent to prison. Why was that done? Because by being allowed to provide for their own expenditure the colonies would obtain a control over the official servants employed there, which the government at home did not choose to permit. (The hon. and learned Gentleman proceeded in an exceedingly low tone of voice to point out the differences that had existed between the House of Assembly and the Home Government, the improper hands to which the administration of justice had been entrusted, and the impoverished, contemptible, and, as we understood him, dishonest materials of which the Legislative Council was composed.) One of the great points with the Home Government had been to induce the House of Assembly of Lower Canada to make a permanent provision for the salaries of the Judges, the Governor, and other public officers, and it was not until they had positively refused to comply with the suggestion that it was found out by the government in Downing-street that it was necessary to do something to redress the grievances of which the colonists complained. Accordingly, whilst the right honorable Baronet (Sir R. Peel) opposite was in office, it was proposed to send out a commission to Canada to ascertain the nature and extent of the evils complained of. The right hon. Baronet did not hold the reins of Government long enough to carry out that design, but it was afterwards executed by his successors, and Lord Gosford and two other gentlemen were dispatched to the Canadas to ascertain what it was the people there had to complain of. The colonists, previous to acceding to the proposition of the Home Government with respect to the salaries of public officers, demanded to have an elective legislative council, a responsible executive and to establish a body in its place composed of older men than those of the House of Assembly, and elected for a longer period. The only ground upon which that plan could be objected to was, that it savoured too much of the institutions of America. But it was high time that such an assertion should be abandoned. A body resembling the Senate of the United States was the only species of sound Legislative Assembly that could be properly adopted in countries where there was no natural aristocracy. An aristocracy could not be created in a day. The aristocracy of this country had existed almost as long as the nation itself. A monarchy might be created in an hour—an aristocracy was the growth of an age. In Canada there was no aristocracy. The only resource, then, was to establish a body next approaching to an aristocracy, and of such a body he thought the American Senate afforded the best example. It had been said that there were two distinct classes of society in Lower Canada—the one French, the other English; that the interests of these were diverse, and that the form of Government, if changed, would give to the one a power by which the interests of the other would be completely overwhelmed. How did the facts stand? The Legislative Council was composed of English—the House of Assembly of French. It was contended by the English party, that if the Legislative Council were made an elective body it would be too much subject to French influence. As a proof of this, it was said that the English were not fairly or adequately represented in the House of Assembly. What was the fact? It seemed that in Lower Canada the number of persons speaking the English language amounted to 134,000; the number of those speaking the French language to 374,000. Thus it appeared that the English bore the proportion of one-third to the French. Now, the House of Assembly consisted of 88 members, of whom 64 were said to be of French origin, and twenty-four members of English origin. Thus, then, it would seem that if the English population bore a proportion of one-third to the French population, so also did the number of their representatives of the French. To show how little weight ought to be attached to the stories of the preponderating influence of the French in the representative Assembly, it was only necessary to state that exactly the same line of argument with respect to the grievances of the minority was adopted in U. Canada, where there were no French. The fact was, that under a good system of government, there would be nothing whatever to dread from the influence of the French party in that part of our possessions. As an instance of the intolerance at present exercised by the officials acting under the existing Government in Lower Canada, the hon. and learned Gentleman read a letter dated on St. Patrick's Day, and signed by the Chaplain to the Forces and the son of the Chief Justice, in which the writers exhorted their Protestant flocks, as they cared for their immortal souls, to take no part whatever in the administration of the idolatrous service of the Roman Catholics on that day. Such an address was necessarily extremely offensive to the Canadians, who were chiefly Roman Catholics, and who, though possessing so large a majority in the House of Assembly, had never compelled the Protestants to pay anything on the score of religion. But what was the justification?—Why, it was alleged on the part of the church of England that the Roman Catholics of Canada, when they obtained the power they were seeking to obtain, would practise intolerance towards others. But he denied that they would do any such thing. They were endowed with the same spirit of liberality which prevailed throughout the continent on which they lived. The honble. and learned Gentleman then adverted to the very objectionable system adopted by the Government in the mode of disposing of the waste lands. The Canadians contended that those lands were not the property of the Crown, nor of the people of England, but of the Canadian people, and if the lands were properly applied they might be rendered greatly beneficial not only to Canada, but to this country also. That mischievous rule, however, which prevailed in all the British Colonies had, away in Canada, by which the waste lands were only made the means of jobbing and speculation, without conducing at all to the general benefit, but quite the reverse. If the people of Canada were allowed the land they would make it fertile and a source of wealth to the country. It would afford the people the means of paying the whole civil expenditure of the Government in the same manner as was done in the United States. He solemnly asked the House steadily, calmly, and patiently to go over the grounds which he had urged upon their attention, before they determined to resist his motion. It was quite clear in the natural course of things that the Canadas and England could not remain joined together, as they now were, but for a very small number of years. The only union that would hereafter exist between these countries would be that arising out of their commercial intercourse with one another. The connection might be continued; but if England should attempt to continue the union by the present system of rule, it would only be the means of inducing the Canadians to make a comparison between their condition and that of other and neighbouring nations, and of the great benefits derived under the form of government which prevailed in those countries, the result of which would inevitably be, that the connection between England and her North American Colonies would come to a rapid end, he was afraid, in a violent dissolution. The honble. and learned gentleman concluded by moving, as an amendment,—"That this House resolve itself into a committee of the whole House to take into consideration such parts of the 31st Geo. III. c. 31, as relate to the Executive and Legislative Councils of the Canadas, for the purpose of rendering the same efficient to the good government of those provinces."

Mr. Muntz seconded the motion.

Sir George Grey admitted with the Honorable and Learned Gentleman the very great importance of the subject brought under the consideration of the House, and he could not help expressing his satisfaction at the tone and temper with which the Honorable and Learned Gentleman had introduced the subject [hear, hear, hear!] It induced him to hope that in the future discussions which might take place upon this question the same temper might prevail, which must be conducive, nay, was essential, to the adjustment of those differences which unhappily existed, and which ought to be discussed, as far as possible, apart from all angry feeling, and with reference solely to the great interests which were involved in the subject. In the end which the Honorable and Learned Member proposed to himself—that of establishing good government in the Canadas—he (Sir G. Grey) cordially concurred. But he differed from the Honorable and Learned Gentleman as to the remedy which he proposed—namely, the revision of the constitutional Act of 1791—as he did not think that was the remedy which the disease required, or which they could safely apply. Into the argument of the Honourable and Learned Gentleman as to the constitution of the Legislative Council, he (Sir G. Grey) would not enter, because the Honourable and Learned Gentleman had never heard from his Majesty's present Government those objections which he stated had been urged by others against the alteration of the constitution of that council. He (Sir G. Grey) had never urged those objections, nor was he now prepared to urge them. He had not stated that it would be American and republican to alter the council from the present form in which it was constructed (hear, hear!). He believed that the great object they all had in view was to give a government to those colonies which was suited to the wishes and sentiments of the great body of the people; a Government—to use the words of a great statesman on a former occasion—which would give them nothing to envy if ever they crossed the boundary that separated them from the United States (cheers). The Honourable and Learned Gentleman had imagined the character of His Majesty's Government for sending out commissioners to the Canadas to make a report, and he did so on the ground that the Government were not in want of information to guide them in their course towards these Provinces. Now he, (Sir G. Grey) denied that the Government had the means of ascertaining fully what were the sentiments of all classes of his Majesty's subjects in those colonies when they came into office last year. On that occasion his Majesty's Ministers found that the Right Hon Baronet (Sir R. Peel) had intended to send out a Commissioner to Canada, and they therefore felt it right to adopt the same course. But they conceived that a commission composed of more than one individual would be more effectual in making those observations on the spot, and obtaining from the people, and especially the members of the House of Assembly, that information which was necessary for the guidance of the Government at home, than if they had confided these duties to one commissioner. Those commissioners were directed to probe every complaint to the bottom, and make a full report thereof to his Majesty's Government. This he humbly conceived was the proper course to be taken in order to adjust the differences that existed in Canada between the House of Assembly and the Legislative Council, and to place the Government of the Canadas upon a permanent and just principle. Lord Gosford received precisely the same instructions as were given to Lord Amherst. There was one circumstance only in which he was required to act, which was not included in Lord Amherst's instructions. Not a word could be said that could derogate from the high character of Lord Gosford; not the slightest suspicion could be thrown upon the motives for any one act of his conduct. What had been the result of his arrival in Lower Canada? A breach had existed between the Executive government of that colony and the House of Assembly; but amity and good will had since been restored between these two powers, and it was impossible that any complaint could be preferred against Lord Gosford. The Commissioners proceeded to Canada, and in their inquiries they were at the moment engaged. But what was the object of the present motion? It was to step in between that inquiry and the report of the commissioners; and it called upon that House to make itself at once the medium of settling this question between the Legislative Assembly and the Executive Government, by the interference of the Parliament of Great Britain. To the fullest extent to which it had been alleged would the Constitutional Act of 1791 be made the subject of inquiry, also the subject of report by the commissioners, and after the report was received, would it be made the subject of full and careful deliberation on the part of the Government at home. He would reserve his opinion until that report should be received, as to how far it might be necessary to make any alteration in the constitution of the Legislative Council, so that it should be made equally independent of the Government and of the House of Assembly, and should obtain a hold on public opinion. It was impossible, however, to read the Act of 1791 without perceiving that the constitution proposed to the Canadas was to a certain degree considered an experiment; and for himself he could not help expressing his regret that the Act had been made permanent. Looking at the great alterations that had taken place in the Canadas since the Act of 1791, it was impossible to deny that at no very remote period, an alteration in that Act might be desirable. It was this, among other considerations, that induced the Government to send out a commission of inquiry to ascertain what views the people entertained on these questions. It was true that the instructions to Lord Gosford deprecated any change. There was a great difference between an organic change of this nature, and alterations made from time to time by the Legislature. It was always the part of a wise government to adopt a change, not too slowly on the one hand, but at the same time to take care that they did not, on the other hand, outrun public opinion by introducing changes of a doubtful nature, and which might involve consequences they had not yet duly considered. Up to the present period there was no reason to suppose that there prevailed a very especial desire on the part of the great majority of the inhabitants of Lower Canada for any such change as had been proposed by the honourable and learned gentleman this night. The first time the question of such a change was brought forward in the House of Assembly in Lower Canada was on the 10th of July, 1832. On that occasion Mr. Bourdages brought forward a string of resolutions, one of which declared that it was the opinion of the House that the people of that province could not entertain any hope that the abuses of which they complained would at all cease to exist, or that they could ever acquire an Executive Government that would consult the wishes of the inhabitants of the Province, so long as the Legislative Council were nominated by the Executive Government. What was the result? That resolution was negatived on a division by 35 to 23. The first petition received from the House of Assembly on the subject of the Legislative Council in Lower Canada was on the 20th of March, 1833.—Well, scarcely two years had elapsed from that period before commissioners were appointed to inquire into the various matters of complaint on the part of the Canadians, especially including this complaint respecting the constitution of the Legislative Council. Could the Government, he would ask, be accused of any great delay in taking up this question? Could they be accused of any desire to stop inquiries, or could they be accused, by negativing the motion of the Honble. and Learned Member, of withstanding the wishes of the people? What were the views of the Honourable and Learned Gentleman himself upon this subject? In May, 1835, he addressed a letter to the House of Assembly of Lower Canada, in which he said that the very thing he was now asking for was a delusion.

Mr. Roebuck begged to explain. In bringing forward the present motion, he had distinctly stated that he was only carrying into effect the wishes of the people of Lower Canada. He did not bring it forward as his own proposition.

Sir George Grey—Just so. The hon. and learned Gentleman asked that the views of those whom he represented might be carried into effect. He was proposing to the House to adopt a measure which he had himself declared to be a delusion. The hon. Baronet then read an extract from Mr. Roebuck's letter to Mr. Papineau, of the 20th May, 1835, in which he declared it to be his solemn opinion, that the only demand the people of Lower Canada ought to make for establishing a good government, were those conditions which would make it a government "purely democratic." Now if that were the object of the hon. and learned Gentleman, to such an object he (Sir G. Grey) could be no party at all. To such an object the Act of 1791 was directly opposed. He thought it was important they should know what the hon. and learned Gentleman's views were, in order that they might be cautious in adopting his advice, when they came to act upon the report that was to be presented by the Commissioners. Considering the opinions put forth in that communication from the hon. and learned Gentleman, made in his official capacity, he asked the House to pause before they took his advice in adopting the remedy which he proposed, but which he at the same time said he did not think was calculated to meet the evil. He must say that, looking at the introduction of the instructions in which the Commissioners were desired to lay before his Majesty a faithful statement of all matters entrusted to their investigation, and of the matured sentiments regarding them; looking at the terms in which they are told, that although their duty as Commissioners was exclusively to inquire, to deliberate, and to report, yet within the sphere of that duty they were placed under no restrictions, excepting such as the necessity of the case, or their own judgment, might prescribe; looking at that part of those instructions, in which they were called upon to listen with the most respectful attention to every complaint, as well with respect to the Legislative Council as to every other matter; and looking at that passage of the instructions which pledged the Government, when the report was made, to take into consideration whether any amendment of the law on this subject, which they might think fit to propose for the consideration of the Imperial Legislature, founded on the principles contained in the Constitutional Act of 1791, might be calculated in their practical operation to render the Government more conformable to the wishes and interests of the people; looking at these things, he must say that there was no ground for the motion of the Hon. and learned gentleman, especially after the course which the House took last Session when this subject was then before them. The Hon. and learned gentleman had alleged no reason why the House ought to interfere, nor had he advanced any ground to justify the House to pledge itself to those alterations with respect to the Legislative Council which he had suggested. As to the Executive Council, the Hon. and learned gentleman had not said much on that part of the case; nor throughout the '92 resolutions which were lately passed in the House of Assembly in Canada was there a word concerning that Council. To any extent that the Executive Council could be made the instrument of better government, without superseding the King's prerogative, the Commissioners were directed to inquire and make their report upon. The Hon. and learned gentleman had asked what in the present position of the question his Majesty's Government meant to propose? He had said—"Do you mean to seize on the moneys which are subject to the appropriation and control of the House of Assembly, in order to pay the officers without the authority of the House of Assembly?" If the Hon. and learned member alluded to the money issued under the warrant of the Exchequer, his answer was—certainly not. But if the Hon. and learned member would look at the instructions, he would see that Lord Gosford was distinctly authorized to appropriate those moneys which arose from the permanent territorial revenue, and with respect to which no question whatever existed that the appropriation of that money during the whole period that Canada had been in possession of the Crown had belonged to the King, without the authority of the House of Assembly, in payment of the expenses of the Government and of the official servants of the colony. It was quite true that Lord Gosford was authorized to state to the House of Assembly that those funds would be placed at their disposal, and it was not till Lord Gosford should have made every possible attempt to provide for the expenses of the Government and the official servants, and should have failed, that he was instructed to make this appropriation of those funds. He wished to guard himself against giving any distinct pledge as to the course Government might pursue hereafter. It was sufficient for him, now, to speak of the present circumstances. At the present moment the Government offices in Canada were in a better situation than they were placed in last year. There was therefore no pressing necessity to have recourse to those remedies to which the Hon. and learned member for Bath had adverted, and to which he hoped it might not be necessary to resort—at all events, until after the House of Assembly had received an answer to the address they had forwarded to their Sovereign, and had had an opportunity of reconsidering their decision. He entertained a sincere and confident hope that when the House of Assembly were in a position to consider the instructions of Lord Gosford, apart from the jealousy and suspicion which the references now made to them awakened, they would see that they were not justified in withholding their confidence from a Government which was disposed to remedy every proved abuse, and to redress every real grievance. The Honourable and Learned Gentleman had taken great credit to himself for predicting the situation in which the Canadas were now placed; but he begged to remind the Honourable and Learned Gentleman that predictions very frequently brought about their own accomplishment (hear, hear!) With reference to the stoppage of the supplies, he would not hesitate to express the regret he felt at this proceeding. The power was a most valuable and important one; but he could not but think that its importance was lessened and its influence weakened, when it was exercised at the very moment when all grievances were undergoing a thorough inquiry, with a view to their revision and redress. For the reasons he had stated, he hoped the House would not agree to the motion of the Honourable and Learned Member for Bath—a motion which, on the Honourable and Learned Gentleman's own admission, if it provided any remedy at all, would provide a very inadequate one. He would again admit that the greatest share of self-government ought to be given to the Canadas, than could be conceded consistently with the independence of the British Crown. Nothing could be so much the duty and the interest of a free country as to commit the colonies to her by consulting the comfort and welfare of their people. Deeply convinced of the real attachment of the people of those colonies to the British Crown, he should not shrink when the proper time should arrive, and arrive it must, to propose to Parliament those measures which he conceived would be most conducive to their welfare, and to the amelioration and improvement of the condition of all classes of his Majesty's subjects therein (hear, hear!).

Mr. Robinson denied that the Hon. and Learned Member for Bath could be considered as the just representative of the people of Lower Canada. He was merely the representative of the Papineau party. He (Mr. Robinson), an individual in some degree connected with the colonies, and deeply interested in their welfare and prosperity, had no hesitation in expressing his firm conviction that from the moment the people of Lower Canada gained an elective legislative body might be dated the loss of the colony. He was convinced that from that moment they would consider themselves abandoned by the mother country (hear, hear!). The question was discussed in the year 1791, when a constitution was given to Lower Canada, and though Mr. Fox expressed his individual opinion in favour of it, it should not be forgotten that he stated in the most emphatic terms that he considered it essentially necessary that in every part of the British dominions an aristocratic principle, analogous to the establishment of a House of Peers in this country, should form a part of the constitution. This opinion was also ably and emphatically stated by Mr. Burke. At the same time, there could be no doubt that if the elective council did not sufficiently harmonize with the popular assembly, it was the duty of the Government to endeavour to render it more conformable to his feelings and wishes. Mr. Papineau and his party, in their speeches, and in the papers which were their organs, expressed themselves decidedly hostile to the colonization of British subjects, lest they should overpower the preponderating influence of the Canadians. Why, could anything be more monstrous, the colony having been conquered by England in 1761, that for this country to legislate solely for the advantage of the Canadian without reference to British interests? (hear!) He did hope and trust that while His Majesty's Ministers expressed their readiness to redress the grievances of Canada, they would not be induced to accede to propositions the only effect of which would be to prevent the settlement of British subjects. There was one most monstrous, untenable, and objectionable claim of the Canadians, to which the Hon. and Learned Member had not adverted—he meant their claim to exclusive power over the Crown lands. Now he (Mr. Robinson) belonged to a Company from which the Government had received a considerable amount, who had expended large sums on the improvement of Crown lands in Canada. If the House of Assembly obtained the exclusive control over these lands, what would be the result? Their first act would be an attempt to prevent the settlement of British subjects. He cordially joined with His Majesty's Government in opposing the motion of the Hon. and Learned Member for Bath. He regretted the unhappy differences which existed between the country and the colony to which he belonged; but he was of opinion at the same time, he could attribute them to no other cause than the exorbitant demands of the Canadians.

Mr. Hume expressed his great satisfaction with the course pursued by the Hon. Baronet (Sir George Grey) who had preceded the Honourable Member for Worcester. He had merely asked the House not to arrive at a decision upon the subject until the report of the commission had been made, and he laid considerable stress on his readiness to give the Canadians as great a share of self-government as could safely be intrusted to them. The Hon. Member for Worcester had talked of Papineau and his party in Canada; was the influence of Mr. O'Connell and his party in Ireland. Three-fourths of the eighty-eight representatives in the House of Assembly were returned by the French people; and they had, in opposition to the wishes of the Governor, elected him to the office of Speaker again, to testify that confidence which they reposed in him. Did the Hon. Member for Worcester suppose, that speaking of Mr. Papineau in the contemptuous tone he had adopted, was the way to soften down these animosities? He thought the conduct of the Hon. Member for Worcester clearly showed that he was not anxious, like His Majesty's Government, to set the differences at rest. The Hon. Member was completely mistaken as to the views of the Canadians. He had asserted that the Hon. and Learned Member for Bath was not authorised, in any of his proceedings by the proper authorities in Canada. Now he (Mr. Hume) would refer the Hon. Member to one of the recent resolutions of the House of Assembly in Lower Canada, in which it was stated that Mr. Roebuck was authorised in all that he had done and said in the House of Commons with reference to that colony and that Assembly. He was of opinion that if the recommendations of the Hon. Member were attended to, that there was little hope of peace in Canada. If the complaints which had been made, so far back as 1826 had been then attended to, they would not have heard many demands which had since been made, and which had been going on increasing from year to year. The House of Assembly in Lower Canada had made no of their last resource to obtain justice, viz. in refusing for the fourth time the supplies. He contended that the people of Canada had proceeded with great temperance, considering the gross treatment they had experienced from various Colonial Secretaries. It was apparent that Upper Canada, New Brunswick, and Nova Scotia were united with Lower Canada in demanding from this country a greater share in the local governments, and it was more than folly to continue to procrastinate the redress of notorious grievances [hear, hear!]. He was satisfied that Lord Gosford might have made his report before the present time and surely justice was not to be withheld because this had not been done [hear]. Were the people of Canada to be treated as has been suggested by the Honourable Member for Worcester, as a conquered people? The time had long gone by when such language could be used with impunity; and he was sure that the knowledge that it had been uttered in the House of Commons would only tend to prevent peace being restored. The people of Canada would have been less than men if they had patiently submitted to the treatment they had experienced. He had heard with much satisfaction many of the observations of the Honourable Baronet the Under Secretary for the Colonies; and he trusted after what had been said, that it was not the intention of the Government longer to procrastinate. A little had certainly been done, but not by any means sufficient to meet the just demands of the people. If his Honourable Friend (Sir G. Grey) or the Hon. he (Mr. Hume) should feel himself bound to vote for the motion, as the demands for justice by the Canadians had for a long a period been delayed; but after the opinion and sentiments that had been expressed by the Honourable Baronet (Sir G. Grey) on the part of His Majesty's Government, he would pause before he could not help taking the Government, that if they persisted in pursuing the course that had hitherto been pursued they would involve themselves in irreparable difficulties. Before he sat down he felt bound to allude to something that had fallen from the Honourable Member for Worcester. He hoped that the Honourable Member was prepared to show on what authority he had given utterance to the language he had used. The Honourable Member for Worcester had declared that a Canadian party had declared themselves bankrupt the emigration of English settlers to Lower Canada, and this because it would strengthen the British connection. He should like to know where the Honourable Member got his information, for it was distinctly false. He had the Hon. Member could give some definite information on the subject. He had been taken to task in consequence of the office he held in connection with Canada. He accepted that office because he thought that by means of it he might be serviceable as well to his own country as to the colony. He had not asked for this situation but it had been voluntarily offered to him; he appeared there in a character which the members could boast, namely, as the representative of 400,000 persons. With respect to the motion, he would only add, that he had brought forward the subject, because he felt that the consideration of it could not safely be postponed, and indeed, this was admitted on all sides.

Mr. Roebuck observed that the Hon. Member had asked for his authority for stating that Mr. Papineau and his party were opposed to British settlers in Canada. In reply, he would refer to the address of the House of Assembly of Lower Canada to Lord Gosford, in which they requested him to withhold from the British North American Company his countenance, and not to sanction further grants of land to that body [cries of "Oh, oh!" and "Hear, hear!"]

Sir John Hanmer rose in consequence of an observation that fell from the Hon. and Learned Member for Bath. He contended that it was contrary to the constitution and to the practice of Parliament for any Member of the Legislature of Canada to receive pay from any class of His Majesty's subjects for the performance of duties in that House [cries of "Oh!" and "Hear, hear!"]. He knew that a case had occurred at the commencement of the last century where a Member was expelled from the House for receiving £1,000 from the city of London for supporting a Bill. The Hon. and Learned Member admitted that he received money from the people of Canada for supporting a certain line of policy in that House. He (Sir J. Hanmer) intended that such a course was unconstitutional. Mr. Wakefield observed that his Honourable and Learned Friend appeared as the representative or agent of the House of Assembly in Canada; and other hon. members had appeared in that House in the same capacity. If the Hon. Baronet intended to make an attack on this point on his Hon. and Learned Friend the Member for Bath, he should bring forward a motion on the subject, when the Hon. and Learned Member for Bath would be ready to reply to him. If the hon. baronet would definitely bring forward his motion he would find a great many Members of Parliament had been agents for colonies, and had received pay, and their conduct had never been questioned on the subject.

Mr. Roebuck said that he was fully prepared at once to answer the Hon. Member. He would refer to the case of Mr. Hutchison, who had held the office of agent for Ceylon, with a salary. The subject was brought before the House by a committee was appointed to inquire into the matter. The committee, after investigating the subject, reported to the House that Mr. Hutchison was free from all blame in the proceeding. Again, Mr. Burge, the agent for Jamaica was a Member of Parliament, and Mr. Stewart was now a Member of the House [cries of "Hear, hear!"]

Sir J. Hanmer did not intend to make any personal charge against the Hon. Member; but he thought the subject was one which should be brought under the notice of Parliament. He would not shrink from doing so; for it was a question that Members of Parliament were entitled of receiving money in this way, and the time it should be put a stop to.

Sir R. Peel did not intend to oppose the position for leave to withdraw the motion. He thought that the Hon. Member for Bath had acted wisely in doing so, but he thought he had done so on grounds which were calculated to excite expectations in the minds of the people of Canada which, if not realized, would leave the Government in a worse situation than they were. The Hon. Gentleman brought forward a motion, not for inquiry into the grievances of Canada, but his motion was for a complete change of the whole House, to take into consideration such parts of the Act 31 of Geo. III., c. 31, as relate to the Executive and Legislative Councils of the Canadas, for the purpose of rendering the same efficient for good government of those provinces. The immediate question, which had been brought forward by the Honourable Member was as to the policy of having an elective Legislative Council appointed by the Crown, and in place thereof to have elective body. (Sir R. Peel) had come down to the House prepared to give a decided negative to the proposition. The Hon. Member had withdrawn his motion after the speech of the Hon. Under Secretary for the Colonies, on the ground, he (Sir R. Peel) supposed, that this proposition would not