

22~~18~~

000145

10

Montréal

27 June

1841

J. Leslie to Honble. L.H. LaFontaine

Montréal 27 June 1841.

My dear Sir,

I have learned from Mr Desrivieres that objections will be raised against proceeding with the petitions on the ground that they are not conformable to the late Election laws which will be contended are still in force as the two last meetings of the Provincial of Lower Canada cannot be deemed sessions as no acts were passed in either of them. I here will however be no difficulty in showing from public documents that they are considered as sessions by the three Branches of the Legislature. I shall commence with the first the Governor who in his speech on 4th. October 1836 on proroguing the Parliament says " There being no longer any prospects of a good result from the message which by the commands of our most Gracious Sovereign I communicated a few days ago to the House of Assembly. I hasten to put an end to this session. " In his speech on opening the Parliament on the 18 August 1837 he commences " In obedience to the Royal Commands signified time through the Principal Secretary of State for the Colonies, I have convened you at this unusual period for the purpose of communicating to you the proceedings that since your last " session " & ". In the eleventh paragraph of the same speech he says " Since the end of this last session several local Acts have expired & I would suggest for your consideration the expediency of renewing such of them as may have proved useful. I would more over- especially invite your attention to the Acts relating

SOCIÉTÉ HISTORIQUE  
DE MONTRÉAL

relating to the Districts of Saint Francis the duration  
of which is limited to the end of the session of the  
Provincial Parliament next after the first of May last "  
 so much for the opinions of the highest Branch may follow  
 the Legislature Council who in the first entry in their  
 Journals on 22d. sept. 1836 state it to be the Third  
 Session of the 15th. Provincial Parliament & in the first  
 Entry in their Journals on 18 August 1837 state it to be  
 the Fourth Session of the 15 Provin. Parliament The  
 House of Asssembly count the sessions the same as the Legis-  
 lative Council but only stated in the preface of their  
 Journals which are kept in that respect different from  
 those of the Council should however your House decide  
 in opposition to the above opinions of the former Par-  
 liament of Lower Canada yet the Exception of the petition  
 was in order & the objection should have been there stated  
 as time would then have been afforded to comply with what  
 the house might deem necessary. If this objection is  
 also overruled sufficient time pught at all events to be  
 given to proceed in the way the House may direct, should  
 however all these objections fail in obtaining a hearing  
 on the merits of the Petition you can still move for a  
 Committee to enquire into the truth of the allegations  
 contained in the latter clause of the petition from the  
 Electors of the County of Montral . I send you some  
 mode evidence in case you are permitted to proceed with  
 the investigation

Yours very truly

( Signed ) J. Leslie.

(118)

000145

Montreal 27 June 1841

My dear Sir

I have learned from two Describers that objections will be raised against proceeding with the petitions on the ground that they are not conformable to the late Act which will be contended are still in force as the last meeting of the Provincial Parliament of Lower Canada cannot be deemed sessions as no Act were passed in either of them. There will however be no difficulty in showing from public documents that they were considered as sessions by the three Branches of the Legislature. I shall commence with the first the Governor who in his Speech on 14<sup>th</sup> October 1836 on proroguing the Parliament says "There being no longer any prospects of a good harvest from the crop which by the commands of our most gracious Sovereign I communicated a few days ago to the House of Assembly. I shall put an end to this Session". In his Speech on opening the Parliament on the 10<sup>th</sup> August 1837 he commences "In obedience to the Royal command, signified to me through the Principal Secretary of State for the Colonies, I have convened you at this unusual period for the purpose of communicating to you the proceedings that since your last Session". In the eleventh paragraph of the same Speech he says "Since the end of the last Session several local Acts have been passed & I would suggest for your consideration the

expediency of renewing such of them as may have proved  
useful. I would moreover especially invite your  
attention to the Acts relating to the Districts of Saint  
Francis the duration of which is limited to the end  
of the Session of the Provincial Parliament next after  
the first of May last" so much for the opinions of  
the Highest Branch may follow the Legislative  
Council who in the first entry in their Journals on  
22<sup>d</sup> Sept 1836 stated to be the Third Session of the 15<sup>th</sup>  
Provincial Parliament & in the first entry in their  
Journals on 18 August 1837 state it to be the Fourth  
Session of the 15<sup>th</sup> Provin: Parliament. The House of  
Assembly count the Sessions the same as the  
Legislative Council but only stated in the preface  
of their Journals which are kept in that respect  
different from <sup>most</sup> that of the Council. Should however  
your House decide in opposition to the above  
opinions of the former Parliament of Lower Canada  
yet the reception of the petition was an acknowledgment  
that it was in order & the objection should have  
been there stated as time would then have been  
afforded to comply with what the House might deem  
necessary. If this objection is also overruled sufficient  
time ought at all events to be given to proceed in the  
way the House may direct. Should however all these  
objections fail in obtaining a hearing on the merits  
of the petition you can still move for a Committee  
to Enquire into the truth of the allegations con-  
tained in the latter clause of the petition from the  
Electors of the County of Montreal. I sent you some  
of mode evidence in case you are permitted to  
proceed with the investigation. Yours very truly  
Signed / J. Healy

27 June 1841

Es Letic, Esq  
Montreal

on basis of elections  
in Lower Canada