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THE NEW STORY.

In this issue we give a further liberal installment of WILKIE COLLINS' new story,

THE LAW AND THE LADY.

This story, considered the best yet written by Mr. Collins, was begun in the CANADIAN ILLUSTRATED NEWS of Nov. 7, (Number 19).

Back numbers can be had on application.

We beg to call the attention of News Dealers throughout the country to the fact that we have secured the sole right for Canada of publishing "The Law and the Lady" in serial form.

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CANADIAN ILLUSTRATED NEWS,

Montreal, Saturday, Feb. 27th 1875.

CANADA AND THE AMERICAN CENTENNIAL.

We publish in the present issue of the ILLUSTRATED NEWS a series of views and plans descriptive of the International Exhibition to be held at Philadelphia, in 1876, the Centennial of American Independence. Next week we shall continue these pictures. The subject is one of very great interest to all of us in Canada, and the Government has understood this by the early appointment of a Canadian Commission. The Exhibition will be held at Fairmount Park, Philadelphia. It will be opened on the 19th April, 1876, and closed on the 19th October following. All Governments have been invited to appoint Commissions, for the purpose of organizing their departments of exhibition. The Director-General should be notified of the appointment of such Foreign Commissions before January 1, 1875. Articles intended for the Exhibition must be sent in from the 1st January to the 31st March, 1876. Applications for space must be addressed to the Secretary of the Canadian Commission before the 1st May, 1875.

The Exhibition area comprises 1,200 acres, and, as will be seen from the view in the present number of the ILLUSTRATED NEWS, it lies in romantic grounds. The Industrial Building is 1,880 feet long by 464 feet wide. Its height is 70 feet, and the altitude of its towers 120 feet. The distribution of the interior is superb. It is divided into parallel zones lengthwise to the building, for productions of the same class. It is divided into parallel sections crosswise to the building, for countries and States. Thus, going down the lines in one direction, the observer sees the same products of the whole world, as, for example, furniture, stoves, sewing machines, and the like. Going along the cross lines, he follows the products of the same country. The Art Gallery measures 365

feet by 210. The height of its dome is 150 feet. The edifice is very beautiful, as may be seen by reference to the sixth number of the ILLUSTRATED NEWS, Feb. 6th, of this year. There are also a Machinery Hall, and an Agricultural and Horticultural Building. The whole buildings cover 50 acres of ground. In September, a great cattle show will be held, lasting from one to five weeks.

The Canadian Government has allotted \$100,000 to our Commission for this year, and will probably vote as much next year. It is expected also that each Province will furnish a contingent. The Commission is very satisfactorily chosen. It consists of Mr. F. W. GLEN, of Oshawa, representing Ontario; Hon. E. G. PENNY, of Montreal, representing Quebec; and ex-Lieut-Governor WILMOT, of New Brunswick, representing the Maritime Provinces. The Minister of Agriculture, Hon. LETELLIER DE ST. JUST is *ex-officio* President of the Commission; and Mr. JOSEPH PERRAULT, of Montreal, is the active and intelligent Secretary. In this connection, we have the pleasure of announcing a capital project designed by the Commission. It is proposed to hold a general Dominion Agricultural and Industrial Fair at Montreal, in September of this year. The ground chosen is Logan's Farm, and it will be the largest exposition of the kind ever held in Canada. We understand that the City Council will contribute \$40,000 towards it. At this Fair, all articles intended for the Philadelphia International Exhibition will be presented. There they will be carefully selected, packed, and prepared for transmission to Philadelphia by February, 1876. The charges thither and back will be paid by the Commission. Of course, those who do not choose to send their articles to Montreal, are at liberty to act as they please, but if they wish to exhibit at Philadelphia, without passing through inspection at Montreal, they will have to pay their own freightage to Pennsylvania. From all that we can learn, the American Centennial will be a genuine success, and the preliminary fair at Montreal will be proportionately great. The one will help the other, and the result will doubtless be a decided impetus given to Canadian industry and Agriculture. Canada has been allotted a nearly central space in the main building at Philadelphia, alongside of Great Britain, but as that space, like all others, is necessarily limited, we should advise intending exhibitors to confer at once with the Secretary of the Canadian Commission. We need scarcely add that articles intended for display at the International Exhibition will be allowed to go forward to the Exhibition buildings, under proper supervision of Customs officers, without examination at ports of entry, and at the close of the exhibition will be allowed to go forward to the port from which they are to be exported. No duties will be levied on such goods, unless entered for consumption in the United States.

THE QUESTION OF BANISHMENT.

We notice that the penalty imposed upon RIEL, LEPINE and O'DONOHUE is not well understood in certain quarters. It may be called banishment for convenience, and it is such in fact, but technically the term does not properly apply. There is no power in the British Constitution empowering the Queen to banish any of her subjects. The most that she can do is to make their immunity from arrest on a charge of crime, conditional on their life-long or temporary absence from the realm. Or she may stay the execution of a sentence for crime after trial, on the same condition. This is precisely what she will do through her Canadian Ministers in the cases of RIEL, LEPINE and O'DONOHUE. They cannot be exiled from the country. Banishment, as such, is not a prerogative of the Crown since the signing of Magna Charta. But they will be pardoned their offence, if they remain out of the limits of the Dominion for the term of five years.

The question then naturally arises—what if they should return to any part of the Dominion before the expiration of that term? The answer is simple. Their conditional pardon would be annulled by the violation of the condition. They would be instantly arrested. On what charge? Not on a charge of treason or lese-majesty, which would be the case if the power of banishment pure and simple were vested in the Crown. It is never treason for an Englishman, as it may be for a Frenchman or a German, to set foot on his native soil. But they would be arrested on the original charge of murder.

It has been further asked whether the five years' banishment opens the door of LEPINE's prison, and frees him from the two years' detention to which the Governor-General's commutation of his death-sentence condemned him. This has been doubted, but we think, without reason. The Government resolutions make no distinction against LEPINE. They place him in the same category with RIEL and O'DONOHUE. Banishment being a less punishment than forcible detention, in as much as the latter is a total, and the former only a partial deprivation of personal liberty, it is evident that it was meant to apply to LEPINE and to relieve him from his present imprisonment. So soon as the resolutions have received Imperial sanction, LEPINE will be allowed to go forth a free man, provided he consents to step across the boundary line of Manitoba.

We have said all we intend to say on the subject matter of these Government resolutions. The punishment decreed is ample and sufficient, and we do not see how any English speaking Canadian can refuse his approval of them. With regard to the French case is different. They were all pledged before their constituents to complete amnesty, and how they could accept this substitute for it, we do not pretend to understand.

AN IMPORTANT CONSTITUTIONAL DECISION.

If the wretched business of the Tanneries has effected no other good, it has led to the decision of a question of the highest constitutional importance. We refer to the judgment delivered a few days ago by the full Court of Appeals in this city, on the Dansereau *Habeas Corpus* case. The facts which led to this decision are too well known to need rehearsal. We shall therefore confine ourselves to an outline of the argument delivered by Chief Justice DORION in the name of the whole Court, Judge RAMSAY alone dissenting. His Honor stated that by the Constitutional Act, the Legislatures of the several Provinces are not simply corporations in the ordinary sense of the word. They are no doubt Corporations in one sense, but they are not so in that limited sense which is ordinarily attached to the term Corporation. There is no difference between the powers of the Local Legislature and of the Dominion Legislature. That is, the powers of the Local Legislature within its own sphere are co-extensive with those of the Dominion Legislature within its sphere. The one is not subordinate to the other. Therefore, if it is found that the Local Legislature is acting within the proper sphere confided to it, its powers are as unrestricted as those of the Dominion Legislature. On the other hand, the Dominion Legislature has certain limits set to it, which it cannot pass. In the Province of Quebec we have got responsible Government modelled on the British Constitution. In the Province of Quebec the Government is conducted upon the principles of responsible Government, with power to legislate upon every subject of a local and private nature which does not come within the class of subjects assigned to the Dominion Legislature. Therefore, everything that does not come within section 91, of the Act of 1867, and which affects purely and simply the Local Province of Quebec, comes within the powers of the Legislature of the

Province of Quebec. The Legislature having such extensive powers, being bound to legislate upon every civil right affecting any part of the Province of Quebec, it would be very singular if it should be restricted in an inquiry, and if it should be deprived of the right of compelling the attendance of witnesses before it. From the preamble of the Confederation Act, His Honor concluded that the intention of the Legislature was not to establish a new form of government, but to continue the powers which existed before. But there was a division of those powers, some being given to the Dominion Legislature and some to the Local Legislatures. A further consideration is that the power has never been questioned yet in *Habeas Corpus* cases. Where actions of damages have been taken because Legislatures have attempted to exercise the right to bring witnesses before them, not a single case is found where the right has been questioned. The right must therefore have been conceded and recognized. Therefore the Chief Justice entertained no doubt that the Local Legislatures have the right to bring witnesses before them. There is no proof in the Statute of 1867 that the Local Legislature is deprived of that right. The Local Legislature in all those things which are special to the Province of Quebec possesses the powers as they existed formerly under the old Constitution. With such extensive powers it would be impossible to discharge their functions properly without the power to send for persons and papers. If the right could be questioned, the present case would serve to show the necessity of its existence. The former Government of the Province disposed of certain property, and the question arises whether fraud or mismanagement is to be imputed to those who are entrusted with the administration of the public property. Who are the Judges in such a case as that? It is the House of Assembly and no other; as in England it is the House of Commons. But it is said, granting that the House has that right, it must judge without evidence. It may obtain information in the street or wherever it likes, but not under oath. If that rule were carried out Responsible Government would be at an end.

His Honor then followed this principle, and added that if the House has the right to bring witnesses before it, it has the right to compel them to answer and to punish them for refusal to answer. In the United States, although the power to commit for contempt members of the Legislature is expressly given, when the question arose whether the power extended to persons not members, the Supreme Court decided that of necessity, although a special case had been provided for, the Legislature must have the right to punish for contempt persons, though not members, such power being necessary to the discharge of its functions.

Next came the consideration of the Act of 1870. It appears that in 1869, the Legislature of Quebec passed an Act, giving the Legislative Assembly and the Legislative Council the same power which the House of Commons exercises by memorial usage. That Act was disallowed, the Minister of Justice thinking it unconstitutional. The next year, an Act was passed giving certain powers therein defined. The question is whether this Act was unconstitutional or not. The Court has no power to declare an Act unconstitutional, but whenever under any of the clauses of an Act litigation arises, and objection is made to the constitutionality of the Act, it has to decide whether it comes within the powers of the Legislature to enact such clauses or not. The Judge found no difficulty in saying that clause two of this Act, relating to the examination of witnesses, is constitutional. It is a pure civil remedy. Being of opinion that the Legislature had the right without a special statute, the Court was further of opinion that it had a right to pass a law on the subject. In the same year, a law was passed which governs the swearing of witnesses before Committees of the Legislature. The Court had no