

of Justice thus advised, as the Bill "is one of some importance, and may possibly be considered to prejudice the interests and rights of property of Her Majesty's subjects not residing in Canada."

That the Anglo-American Telegraph Company appeared by Counsel before the Committee of the Senate to which the Bill was referred and urged that their rights and privileges would be prejudiced by it, but that the Committee reported in favour of the Bill, and the same was then passed by that body.

That the advice to the Governor-General that the Bill should be reserved was given merely in deference to the language of the Royal Instructions, and not from any conviction or belief that the Bill in any way interferes with or is prejudicial to the rights of the Anglo-American Telegraph Company, or of any other Company with similar objects or with similar rights.

That the Bill in question is calculated to afford facilities to any persons seeking incorporation for the purposes of marine telegraphs, and will tend to promote, not the establishment (or monopoly) of one Company only, but of several, for the same purposes.

Whilst, as regards any supposed rights or franchises of the Anglo-American Company, or of any other Company with which this Bill can be alleged to interfere, the Committee are quite at a loss to know in what they can be said or supposed to exist, or what peculiar rights of any kind that Company or any other can at present claim in Canada.

The 14th section prohibits any Company, except such as have been or may be incorporated in Canada from maintaining or constructing a marine telegraph (saving the user of any existing Telegraph Company, during the non-existence of any company arising within the provisions of the Bill). But the 15th section provides that the necessary corporate powers in Canada (for any company so prohibited by the 14th section) may be procured from the Governor in Council, upon condition, however, that other companies created under the authority of the reserved Bill, shall have conceded to them and enjoy equally with it any advantages or privileges which it may possess.

In these provisions, therefore, will be found the object of the Act—the encouragement of marine telegraph companies in Canada, but so as that all such companies, whether of Imperial or Canadian incorporation, shall enjoy equal rights and privileges in all respects amongst themselves, and without any special monopoly.

That is to say, Parliament is willing to extend to companies of Imperial or Parliamentary origin in Great Britain the same corporate powers which it is proposed shall exist in any companies of Canadian incorporation, provided that equal rights and privileges in all respects are enjoyed by all.

The Committee are of opinion that no company is in existence possessing rights and privileges in Canada which can in any way be legally affected by the reserved Bill.

They at the same time desire to express their strong conviction that this measure is calculated to be highly beneficial to the interests of Canada, and is also in accordance with the established policy of the country, and they submit that Her Majesty's Secretary of State for the Colonies be requested to pray Her Majesty's sanction to the Bill at an early date.

Certified,
(Signed) W. A. HIMSWORTH, C. P. C.

No. 2.

The Earl of Dufferin to the Earl of Carnarvon.—(Received October 13.)

My Lord,

Canada, October 2, 1874.

I HAVE the honour to forward, for your Lordship's information, copy of an Order in Council dated the 2nd day of October, 1874, in reference to the recent Telegraph Act of the Dominion Legislature which has been reserved for your Lordship's consideration.

The Order in Council is accompanied by a copy of "The Money Market Review,"* and a pamphlet entitled "Memorandum of Association of Anglo-American Telegraph Company,"* and by copy of an Order in Council of the 4th of June, 1874, relative to the same subject.†

These documents have only reached me as the mail was upon the point of closing.

* Not printed.

† Vide Inclosure 2 in No. 1.