

eration and the said Act does not authorize the general Government to appropriate the proceeds of the sale of the Island fisheries for the general purposes of the Dominion."

Mr. WOODWORTH. Who was the hon. gentleman who was going to propose that Resolution?

Mr. HACKETT. Dr. Muttart, who then represented King's county in this House. His contention, and it is the correct one, is that before the 1st of July, 1873, the Treaty of Washington was in force and effect as regards the Island, and that the Island, on going into the Union, did not surrender, in writing or in any way, any right or claim she had with respect to this matter. Now, it may be said that by the fact of the Island going into the Union at that time and subsequent to the ratification of this Treaty, she conveyed to the Dominion Parliament the right to deal with this question. Hon. gentlemen will remember that in 1875 a correspondence took place between this Government, then led by the hon. member for East York (Mr. Mackenzie), and the Imperial Government, with regard to the rights of British Columbia; and in that correspondence I find the following dispatch on this subject. I want to show this House that the effect of any enlargement of the boundaries of the Dominion by the admission to Confederation of any Provinces subsequent to the ratification of the Treaty, did not affect the right of any Province with regard to this Treaty, and this is the opinion of the law officers of the Crown. This dispatch of Lord Carnarvon, dated the 12th of August, 1875, is as follows:—

"Her Majesty's Government have been in communication with the law officers of the Crown, with regard to including British Columbia, under the operation of the Treaty of Washington, and they are advised that the words 'Dominion of Canada' existing in the Treaty of Washington, article 21, must be governed by the state of things in May, 1871, and cannot now receive a wider construction from the fact that additional territory has since been added to the Dominion. The article 33 provides the means by which the several articles named are to be carried into operation, but does not provide in any way for extending the meaning or operation of those articles, and Her Majesty's Government are advised that the Act of the first of March, 1872, and the Act of Parliament of Canada, 14th June, 1873, must both be construed with reference to the Dominion of Canada, as that Dominion was on the 8th of May, 1871."

It being six o'clock, the Speaker left the Chair.

### After Recess.

#### ONTARIO AND QUEBEC RAILWAY COMPANY.

Mr. HAGGART, in moving the second reading of the amendments made by the Senate to Bill (No. 46) respecting the Ontario and Quebec Railway Company, said: No material changes have been made. The first change is in the fifth line, second page, to specify the indenture of sale; there were two sales, one from the North-Western Railway to the Ontario and Quebec Railway, and the other, that portion of the line of the Canadian Pacific Railway between Perth and Smith's Falls; the change is to specify that. In the second clause, there is an addition made so that the Company can carry out the conditions of the indenture of sale and so that the stockholders, at a meeting, can change the chief place of business to Montreal. In the 8th clause, there is a change which enables the Company to issue sterling bonds instead of currency, if they choose. Then there is a clause added, the 10th, which extends the time for constructing the road and bridge to four years.

Amendments read the second time and concurred in.

#### St. CLAIR FRONTIER TUNNEL COMPANY.

Mr. WHITE (Cardwell), in moving second readings of amendments made by the Senate to Bill (No. 62) to incorporate the St. Clair Tunnel Company, said: The amendments are all merely in the wording and not material. I think the attention of the Senate should be called to the

fact that amendments are made by them in Bills sent from this House which simply alter the phraseology without any apparent object, and without affecting the objects of the Bills at all. There are four pages of amendments to this Bill, all of a purely grammatical construction, and my own opinion is that some of them make the Bill worse than it was in the shape it passed this House.

Amendments read the second time and concurred on.

#### ST. LAWRENCE AND OTTAWA RAILWAY BILL.

Mr. WHITE (Cardwell) moved the second reading of the amendments made by the Senate to Bill (No. 56) to empower the bondholders of the St. Lawrence and Ottawa Railway Company, to vote at meetings of the Company and for other purposes.

Mr. BLAKE. Are these of the same improved character?

Mr. WHITE (Cardwell). They are of the same character, and some of them are of a very extraordinary character. For instance, in the words "bonds outstanding and unpaid," we are asked to leave out the words "and unpaid." There is another amendment where, for the purpose of the Act, \$5 is declared to be a pound; we are asked to put in "for the purpose of voting under the Act." The amendments are all of that character, and I really think we ought not to be put to the trouble, in this House, of altering the phraseology of our Bills in this way.

Mr. BLAKE. Who is it "finds some business still for idle hands to do?"

Mr. WHITE. I am afraid it is a very busy hand that does this.

Mr. BOWELL. He is an unknown character in this House.

Amendments read the second time and concurred in.

#### WINNIPEG AND HUDSON BAY RAILWAY AND STEAMSHIP COMPANY BILL.

Mr. CAMERON (Victoria) moved the second reading of Bill (No. 131) to amend an Act to incorporate the Winnipeg and Hudson Bay Railway and Steamship Company.

Mr. ORTON. Explain.

Mr. CAMERON. I have already explained to the House and I think specially for the information of my hon. friend what the purpose of this Bill is.

Mr. ORTON. I have not got this Bill before me just now, but I have understood that the object of the Bill is not only to extend the former charter, but to give power to construct a road to which a charter has already been given this Session. I have no objection to any Bill passing this House which will ensure the rapid construction of the Hudson Bay Railway, but this Bill has been brought in a very unusual way into this House, and one of the clauses of the Bill proposes, I understand, to give the projectors of the original Winnipeg and Hudson Bay Railway and Steamship Company a paid up capital of \$400,000 of stock. Now, although I believe it is right the projectors of any railway in the public interest, and especially such a railway, should be paid for their expenditure in explorations and any expenditure they may have incurred in a scheme of such importance, I still think that the giving power to a company to have paid-up stock to such a large amount is a serious drawback to the work it proposes to carry out.

Mr. BLAKE. What is the amount?

Mr. ORTON. \$400,000 of paid-up stock to the projectors of this road. I am happy to see they have taken power to construct that road from Selkirk and some point east of