

the law is supposed to be somewhat different from the others. Now, when we come to this law which affects the province of Quebec, is it not more logical to be precise about it, and when we find that a certain clause of the Bill, of a general nature, affects adversely, or does not reach its end when it affects the province of Quebec, should it not then be amended in order to fit into the local conditions and the law of the province of Quebec? Now, the hon. gentleman objects to a special article of our provincial code, or statutes, being mentioned in this clause, because he has not got it before him. Should he not trust to the fact that the members from the province of Quebec agree to the amendment?

Hon. Mr. LOUGHEED—If my hon. friend will say 'according to law in the province of Quebec,' we know that the judiciary of the province of Quebec will see that the law is interpreted according to the law of Quebec; but when we select specific articles of the code, two or three hon. gentlemen of the House may discuss the application of these sections without our knowing anything about them.

Hon. Mr. BEIQUE—The hon. gentleman takes exception to the course which I suggest because he is not familiar with the system of codification. When we deal with a code of laws, we deal with a system of laws which applies, as far as procedure is concerned, special remedies for different classes of things, and if the suggestions of my hon. friend were followed, it would not convey anything at all applicable to the laws of the province of Quebec it would have no meaning. I would defy any barrister in the province of Quebec to understand what it would mean, or any judge to give effect to it. The hon. gentleman says that this is exceptional legislation. I can not quote a precedent at the moment, but will undertake to-morrow to cite a good many cases in the statutes where, as a necessity, references are made to the laws of the province of Quebec, and I can make it now—not a law in existence at present, but if you refer to the old Insolvent Act, you will see that there are specific references made to the Civil Code, and the Code of Civil Procedure in the province of Quebec as of necessity. We have to take this Bill as it is presented

Hon. Mr. DANDURAND.

to us, and there is clear evidence here, as far as this section is concerned, that the draughtsman did not know anything about the law of Quebec. It is stated in this clause that the law of confirmation of titles shall apply. The law of confirmation of titles in the province of Quebec means this: that when a property is sold, and if the title is to be confirmed, notice is given that on a given day application will be made that the title shall be confirmed, and any one interested either as mortgagee or otherwise, or as creditor of the debtor, may be present, and bid over any price mentioned in the title. Surely it is not the intention that the railway company shall be made to pay a larger price than the price agreed upon. The intention of the Bill is that the parties be called upon to file their claim, and that all parties interested be properly notified. Now, we have the Registration Law in the province of Quebec which exacts that certain notices shall be given, so that all parties interested may protect their rights. We have also this, that if claims appear, from the registrar's certificate, the court is obliged to take cognizance of those claims, and to collocate them, and it is for that reason that, as a matter of necessity, I suggest the references to the code that I have mentioned. I could refer my hon. friend to the code which I have under my hand, where he can see for himself the articles which are referred to, and where he will see that these articles are properly applied to the case in question.

Hon. Mr. FERGUSON—It would seem to me, from the exception that is made with regard to the province of Quebec, that it is recognized there is a necessity for a provision being made for Quebec different from the other provinces, and it is very probable that my hon. friend is right that the clause as printed is not the best that could be drafted, and that a better one might be put in the Bill, and I think that is what should be done. My hon. friend would have no difficulty in drawing a clause which would cover the case, and we should enact what should now be the law.

Hon. Mr. POWER—That is what my hon. friend has done.

Hon. Mr. FERGUSON—I think I understand what he proposes, which is that some