

the Board of Works, stating the necessity of closing the canal for a month during the season, and desiring the opinion of the Council as to the fittest time for doing so. To this communication the Council replied that August was the most suitable month for suspending the navigation of the Lachine Canal, and that the suspension could not be carried into September without causing a certain amount of embarrassment to the trade of the country. On the 1st of September the Council then directed the Secretary to address the Department of Public Works, stating the anxiety of the trade to be made aware of the precise time when the Canal would be opened for business, and requesting information thereon.

On the 5th of September, a communication was submitted to the Council from the Department of Public Works, intimating a wish to obtain their opinion whether the exigencies of the trade were such as to require the Lachine Canal to be re-opened previously to the 30th September, or not, whereupon it was resolved by the Board, that it would prove a great loss to the trade to have the Canal closed after the 15th September, but in consequence of the necessity existing to have the works then going on finished, the Council would recommend the Board of Works to keep the Canal closed until the 30th September, provided that on that day the Canal could be opened for business, and that the keeping of it closed till that period would in the opinion of the Board of Works ensure its completion without further interruption of the navigation. Otherwise that the sooner the trade was relieved from the inconvenience to which it was exposed the better.

The result of the whole was that the Canal was reopened for business on the 15th September. The Council have been thus particular about details and dates, as they were very unjustly censured at the time by some of their constituents for first neglecting and then compromising the interests of the public in this important matter, a charge which the whole evidence in the case completely rebuts.

The Council having had under their notice a public announcement from an agent of the patentee, in the United States, of the Electro-Magnetic Telegraph, to the effect that he was about to apply to the British Government for patent rights, not only in the United Kingdom, but in the British North American Provinces, deemed it expedient to memorialize Her Majesty's Secretary for the Colonies against the extension of those patent rights to Canada, urging the following grounds as reasons for the refusal:—1st, because by the law of Canada no foreigner or non-resident can obtain patent rights in the Province for a foreign invention; and, 2ndly, because, by the practice of the patentee in the United States, one-half of the profits derived from the working of the invention is exacted by him for its use, terms which would not be required here if the patent rights were not conferred. To this memorial it has been replied, that orders have been given to stop the issuing of the said patent rights, until the case be further represented.

The attention of the Council was directed in November last to a proposed sale of mill sites on the Lachine Canal. Two of those mill sites were situated so contiguous to the great thoroughfare leading to the Canal, and to the bridge over the Canal, that it appeared to the Council desirable that in place of allowing them to be built upon, which would tend to confine and embarrass the traffic along the street, particularly at the crossing, the whole space should be left open, and they accordingly remonstrated with the Board of Works against the proposed sale, which was ultimately abandoned.

It has already been stated that a Committee of the Council was appointed for the purpose of reporting on the state of the trade of the Province. At the time of making that report, the Committee purposely reserved one main branch of their investigation, viz. the Provincial tariff for a future report. This second branch of their labours has since been completed, but as the subject is so intricate, and such a diversity of opinion exists in regard to it, the Council have not deemed it prudent to take any further action in the matter, except ordering the report to be laid on the table, and urging on the Government in general terms, such a modification of the tariff as may tend to promote the commerce of the country. To this, however, the Council will refer more particularly when treating of the memorial to Government, on which that recommendation occurs.

The Usury Laws had frequently excited discussion in the Council, and a Committee was at length appointed to enquire whether it would be advisable or otherwise that these should be repealed in this colony. The report of this Committee was unanimously adopted, and a copy of it was submitted by memorial to His Excellency the Governor General. The grounds on which the Council recommended the repeal of those laws are as follows:—

- 1st, Because there is virtually no distinction between lending money, and lending or selling any other commodity.
- 2nd, Because the principle of restricting by law the profit to be taken by the lender of money for its use, is opposed to the best interests of this country, inasmuch as it opposes the tendency of capital as of every other marketable commodity to find its natural level, thereby discouraging the industry and enterprise of the people of this colony.

3rd, Because the principle of competition amongst capitalists would unquestionably tend to keep the market rate of interest moderate and steady.

4th, Because Usury Laws have not the effect which was sought for by the Legislature, of protecting the humble borrower against what may be termed the exactions of the rich.

5th, Because from the average Statute rate of interest which prevails in the neighbouring Republic, being considerably higher than what is allowed in this Province, the inference is irresistible that Foreign and British capital will seek investment there rather than here.

These are some of the principal grounds on which the Council are prepared to oppose the law in question.

Another subject of great importance, not only to the mercantile interest, but to the public generally, which engaged the attention of the Council, was the operation of the present Registry Law and the state of the Registry Office in this city. The Council have been at considerable pains in investigating this subject, and have prepared a report which has been submitted by memorial to Government. In regard to the Registry Law, they are of opinion that the following amendments are imperatively required:—

1st, That as no provision was made for the registration of conveyances of property prior to the enactment of the Registry Law, means should be taken to prepare an index to estates, which would go far to supply that deficiency.

2nd, That all titles should take precedence according to the date of their registration.

3rd, That the registers of Seigniors should receive the sanction of law, and that Seigniors should be compelled, on receiving a small fee, to give a certificate of the amount of dues and times of payment, on any Seigniorial property.

4th, That Tutors and Curators, previous to their being invested with their trusts, should be informed by the Judge that unless the trusts are settled on some specific properties, they will operate as a general mortgage on the whole of their real estate.

5th, That the Act 8 Vict. cap. 27, containing the important provision with regard to the renunciation of conventional dowers, and which expires by limitation at the end of the ensuing session of the Legislature, should be continued.

And with regard to the state of the Registry Office in this city, the Council have come to the conclusion:—

1st, That the present system of restricting registration to one book, is utterly inadequate for conducting the business of the office, and that the various kinds of deeds should be reduced to seven classes, for each of which there ought to be a separate volume, with an index for every letter in the alphabet.

2nd, That the clause in the Act 4 Vic. cap. 30, sec. 20, which provides for an index to estates, should be rigidly enforced.

3rd, That the fees for search should be framed on such a scale as will ensure an equitable compensation and no more, for the labour employed in making the search.

4th, That the Registrar should be compelled by law to preserve all the Registry Books, Deeds and Documents appertaining to the office, in a vault or other fire-proof place, for security against fire.

Such are the leading reforms on the system of registration, which in the opinion of the Council are more immediately called for.

The important subject of the Post Office has not escaped the observation of the Council, as some time ago they appointed a committee to enquire into and report on this branch of the public service. The subject, however, is so difficult of investigation, that the Committee has not yet brought its labours to a close.

The Council knowing the general desire that would be felt to ascertain whether under the operation of the Act passed during the present Session of the Imperial Parliament suspending the Navigation Laws, in relation to the importation of Corn into the United Kingdom, foreign vessels would be permitted to ascend the St. Lawrence to the port of Montreal, for the purpose of taking on board cargoes of the breadstuffs specified in the statute, addressed the Inspector General, for information on that point, and it appears from the replies addressed to the Council that foreign vessels would not be permitted by the Act of the Imperial Parliament referred to, to ascend the St. Lawrence to the port of Montreal for the purpose specified.

One of the last acts of the Council, as it was one of their first after taking office, was to bring the state of the trade of the country, once more under the notice of the Government. This they did by memorial, under date the 15th March. In that memorial, after stating their opinion that the recently adopted commercial policy of the Mother Country, imperatively demands the immediate attention of the Provincial Legislature, they proceeded to point out the laws which press most injuriously on the energies of the inhabitants of this Province, viz.: first, the Navigation Laws, secondly, the Imperial Differential Duties; thirdly, the duties levied on Agricultural Produce; and lastly, the restrictions maintained against Foreign Vessels navigating the St. Lawrence. Next, they suggested that, with the view of promoting and encouraging industry all raw materials required for manufacturing purposes, should be admitted free of duty, and further that the duties on all imports should be levied in the legal currency of the Province. They likewise recommended that the practice of exacting bonds from Importers on placing goods