

obtaining justice. He did not wish to press a hasty decision on the matter, however but would like to examine the other propositions of the hon. member to which he could not say at present that he was absolutely opposed.

**MR. MERRITT** expressed himself favourably to the system of the State of New York.

**FRIDAY, MAY 31.**

The House met at 3 P.M. and was engaged for some time in routine business. **JOHN WILSON, ESQ.**, Member for the Town of London, took the oath and his seat.

The Speaker laid before the House a statement of the hon. member for the Lachine Railroad, for the year 1849—(and also a statement of the property of the Montreal Mechanics Institute.)

Thirty-seven Petitions were brought up and laid on the table.

**Hon. Mr. LAPOINTE** introduced a Bill to extend the period limited for certain purposes in the Montreal Registry Act.—second reading Tuesday next.

Also, a Bill to assign fixed annual salaries to certain Officers of Justice, in the County of Canada, and to form a special fund out of the salaries, fees emoluments and pecuniary profits attached to their offices.—second reading Tuesday next.

**RETRENCHMENT.**

**MR. HINCKES** claimed the right of bringing forward the Government order of the day. He then moved the appointment of a Select Committee on the Public Income and Expenditure. He did so, in consequence of a statement which had been circulated, that the present Administration was opposed to retrenchment. He said it had been deemed advisable not to bring forward any such measure during last session. It was a subject of great importance, and one which had occupied a good deal of the time and attention of the hon. member for Kent, and he would be able to render a good deal of information upon it. After his (Mr. H.) return from England, and indeed, long before, it had occupied the serious consideration of his colleagues; and even before the resignation of the hon. member for Kent he (Mr. H.) had proposed the appointment of such a committee as he had now in view. He had an opportunity while in England, of ascertaining the usual course adopted, and found such committees were appointed, both on the Ordnance, and Army and Navy.

The hon. gentleman here read several extracts from the Journals of the House of Commons proving that the appointments of such committees were not novel. His object in referring to this, was on account of remarks which had been made, to the effect, that the Government wish to get rid of the responsibility, but he denied it. On the committee reporting, if they found that it was practicable, it should be carried out, and the responsibility would rest on the Government. He said he would say anything further, but for remarks which had appeared in several newspapers relative to his speech at the Woodstock dinner, in regard to retrenchment. He said he had seen misrepresentations of his speech; all circumstances which led to the remarks he had made, had been omitted. He could not give a better proof that his constituents were satisfied with the course he had pursued, than that the whole constituency were reformers and were anxious to give him a Vote of Confidence. He had then, when he made that speech, a similar sheet of paper to one which he held, and from which he commented. He had been referring to statements which the League had put forth, and which were made, he had referred to the time when retrenchments might be accomplished, and when they could not. He stated the whole expenditure of the Province was £450,000; out of which amount £28,000 had to be paid for interest, and the sum of £390,000 for Geological Surveys; then there were several other large sums for Provincial Penitentiary, Public Buildings, Light Houses, and Lunatic Asylums. The aggregate (not including both branches of the Legislature) was £340,000; then the Pension List, £12,830, which list was gradually diminishing. He said it was very well to get up the cry of abolishing the Pensions, at public meetings; but he would say, it would be unjust to deprive those persons whom the Government are pledged, and have been receiving them for the last twenty years.—There were very few additions made.—The administration of justice, was another very large item, which was paid out of the consolidated fund. He did not know whether it should be paid out of that fund or out of local taxes. The whole expenses of the civil government, out of £450,000 were £330,000. He had never said he was opposed to retrenchment, but was most anxious for it.

**Hon. H. J. BOULTON** said, he thought the hon. Inspector General had made a slip. It was this that should come under report as the Government were not to give all well-wishers a good word, but they should not, then the course would be obvious—the Government would resign.

**Hon. F. HINCKES** said the honorable gentleman had misunderstood him. It was not impossible for any government to pledge itself to any decision of the Committee.

**Hon. Mr. BOULTON** objected that any instructions should be given to the Committee at all. He agreed that no retrenchment ought to be made which would impair the public service. He knew that persons in this country had been pensioned because their services were no longer required.—With respect to them he held, that when ever the Government required their services they should be called upon to perform them.

**Hon. Mr. BALDWIN** said, that the question of the Pension List would come before the House, more properly, hereafter. He agreed with the hon. member, that a Pensioner's pension ought to cease if the Government was appointed to an office under the Government.

**Hon. Mr. HINCKES** would now move for the Committee. He said it would be composed, as much as possible, of the hon. members who were interested in Public Finance.—Merritt, Cayley, Sherwood, (Toronto) Bagley, Viger, Christie, Cameron, (Kent) Boulton, (No-folk) Papineau Sol. Gen. McDonald, Wilson, Holmes, Hopkins, Polette, Richards, Carrier, Morrison, Campbell, Guy, Bonnier, and the mover.

**Mr. W. H. BOULTON** (Toronto) hoped that the ministry would follow the example laid down by Lord John Russell in the composition of the committee. That committee had scarcely a minister upon it. He therefore suggested that the Government should strike off the names of some who were members of the latter, and also those who are members of the present Ministry. He thought the names who were proposed

were a little interested in opposing Retrenchment, and would not therefore carry out the wishes of the country.

**Hon. Mr. HINCKES** contended that there were no valid grounds for the honorable gentleman's objection, and he said the composition of the committee was similar to the one which had been moved by the Imperial Ministry for a similar object. After some further remarks from Mr. BOULTON, the motion was carried unanimously.

On motion of the hon. Mr. Baldwin, an Address was voted to His Excellency, for copies of any correspondence that may have passed between His Excellency and Her Majesty's Principal Secretary of State for the Colonies, in relation to the proposed appointment of Mr. J. G. Mackenzie as Portuguese Consul at Montreal.

**FRIDAY, MAY 31.**

**MR. CAMERON** (of Kent) moved for a Committee on the subject of retaining spirituous liquors.

**MR. HINCKES** explained, that the Government contemplated an important alteration in the licensing system, by extending to the Municipalities the power of regulating the number of taverns in their municipalities.

**MR. CAMERON** said that would meet the views of the temperance party; the public mind was not prepared for the abolition of the license law.

**MR. CAMERON** (of Kent) moved for correspondence relating to Education.

**MR. HINCKES** said there was official correspondence on the subject. He had himself had some correspondence on the subject, but it was of a private nature.—The motion was such as had never been made in any legislature.

**MR. CAMERON** said the motion might be extraordinary, but the whole proceedings with regard to the school bill were still more extraordinary. He went on to explain the circumstances connected with the introduction of the bill of last Session, which was introduced by himself; was generally popular, but which had been suppressed on the part of the Superintendent. The Inspector General had corresponded, by circular, with all the Superintendents of Schools, asking information of the working of the Bill, and of their views on the matter. These circulars had been sent by him (Mr. Hinckes) as a member of the Government, and the House was entitled to the correspondence, which had taken place with a view of getting information on which to base an alteration of the law.

**MR. CAMERON** (of Cornwall) enquired if there were an official correspondence between the Superintendent of Education, on which action had been taken. If there were such correspondence the house was entitled to it.

**MR. HINCKES** the member for Kent had admitted that he himself had had correspondence with several persons on the subject before introducing his bill, and it would be just as reasonable to produce that correspondence, as to ask him (Mr. H.) to produce his. As to the responsibility of the School Bill, there was no desire to place an undue share of it on the member for Kent. He could not agree with the hon. member as to the popularity of the bill; he thought it was far from having been satisfactory to the country. He had no hesitation in saying he had availed himself very largely of information derived from the Superintendent of Education in framing the bill.

**MR. SCOTT** (Bytown) asked Mr. Hinckes if he had had any correspondence with the Superintendent of Carlton. He had himself a pile of correspondence on the subject.

**MR. HINCKES** could not answer.

**MR. SCOTT** contended that the correspondence with the Superintendent, if it influenced the Government in drawing up the bill was of an official character and ought to be produced.

**MR. HINCKES** said he was not to be debarred from private correspondence because he happened to be a member of the Government.

**MR. CAMERON** amended his motion so as to confine it to official correspondence, as to the correspondence between the Superintendent and the Superintendents did not come within the terms of official correspondence.

**MR. CAMERON** thought the mode in which the correspondence had been carried through the Superintendent, and then the House could have obtained it, and got possession of the views of the parties from whom the information had been asked.

The motion was then carried.

**FRANCIS COTTE.**

**MR. HINCKES** moved the second reading of the bill to alter the value of certain foreign coins. In reply to a question put by Mr. Boulton on a previous night, he said the Government did not propose any mode of compensating the holders of these coins. If they did they would have to redeem all the small coins in the United States. In answer to Mr. DeWitt, Mr. Hinckes said he was not contemplating to meddle with the British shillings and pence, which formed a very large portion of the currency of the country.

**MR. PAPINEAU** asked the Inspector General if the bill in the United States was adopted, or only in contemplation?

**MR. PAPINEAU** said if the bill was passed in the United States it was necessary to pass a law here, but it would be desirable to have a copy of the bill. He thought the whole silver coin of the country should be taken into consideration, as its defects were very injurious. As it was not proposed to alter the value of the dollar or half dollar, why should the alteration bear on the lower value.

**MR. HINCKES** had no objection to postpone the consideration of the measure till another occasion. He had not been able to obtain a copy of the American bill. The reason for proposing to alter the value of these coins was that they passed for...

**MR. HOLMES** said all Spanish coins of small denomination were very much deteriorated and decreased in weight. The Spanish dollars were of the very best quality. At the American mint the same nominal value in their coin, given for them. The rate proposed in the bill he believed were the same as those fixed by the American bill, and he hoped the measure would now be proceeded with.

The Bill was then read a second time.

**FREE TRADE BETWEEN THE BRITISH AMERICAN PROVINCES.**

**MR. HINCKES** moved the second reading of the bill to facilitate Free Trade between the British North American Provinces. He explained that the bill was the same in principle as that passed last Session and merely extended the principle to other arti-

cles. In reply to Mr. Cayley, Mr. Hinckes said there had been a correspondence with Nova Scotia on the subject; that Province had stated they hoped it would be entirely satisfactory to the Canadian if they imposed a shilling a barrel on our flour. He used hardly say that it had been quite unsatisfactory, and the effect of the remonstrance of the Canadian Gov. was not yet known. The bill was then read a second time.

**LAW REFORM.**

**MR. BOULTON** (Norfolk) in moving the second reading of his bill to simplify the practice of the Law, and to diminish Law expenses, craved the indulgence of the House, on account of a severe cold he was labouring under, which might prevent his doing that justice to the subject which it deserved. The subject was one of deep importance, and the measure which he was about to bring under the notice of this House, was one involving such very large and sweeping changes, not in the Law, but in the machinery by which the facts upon which the division of the various Courts was invoked, was brought to the knowledge of the judges; that he fully anticipated the combined opposition of those parties who were interested in abuses he desired to sweep away as well as those whose education and daily habits led them to view every change with suspicion, their own minds being warped and prejudiced by constantly toiling within the circumscribed sphere of mere technical routine. Before entering into the various provisions of the Bill, he would observe that he had practised for many years under the old system of pleading, as well as under the new rules, and he had no doubt but the introduction of the new rules, contrary to the expectation of most of those who were disposed to try the experiment of a new system of pleading, and abstract system of pleading, and consequently had increased indirectly the costs which they have intended to diminish. Philosophically, the system was plausible, though not sound, but practically it was a failure. It was intended to induce parties by statements and counter-statements, gradually to draw out the real point in dispute, and fix the attention of the Court, and invoke their decision upon those points of more specific allegations which the parties could not agree to more practical knowledge of professional habits, would, one would think, have satisfied any man not determined to hope against hope, that such would not have practically checked any further proceedings. It is all, and as Attorney asks advice of himself, as Counsel, what Counts he should put into his Declaration, or what Pleas he should put in, in answer. In England the advice of the pleader or Counsel, operates as a check upon the party, as the pleader of the matter. Attorney to enhance costs, and is less likely to advise false pleas for any reason, especially as his character as a pleader is pledged for the correctness of his opinion; which, being in writing, cannot be withdrawn or altered without the consent of the party. In our system, the soundness of his advice may be called in question. Yet in England the public mind is now quite alive to the evils of special pleading, and strong efforts are being made by the London Press to get up such a agitation in Parliament, as shall bring out patriotic and independent men to unite and put down the evil; and I doubt not great progress will be made this session in the British Parliament in the right direction.—I shall address myself to the various provisions in their order. In the first place, I propose to abolish all means process, which will save the expense of the writ and all its attendant costs for copies, after the style of a separate petition, in which, which in such case upon an average costs \$7—to inform the defendant of the pleading facts that he is sued. Beyond that he gains no information as to the why or the wherefore, to which he is kept in suspense until he is at an equal, and perhaps greater expense, if he has not employed an Attorney to appear for him, served with the Declaration, which, if he be a plain man, and knows nothing of legal proceedings, will not only puzzle him, but will require more than the writ. Now, Sir, this bill proposes to abolish the writ altogether, and make the slightly more intelligible document, the Declaration, the commencement of the suit, to which the proper plea shall be returned. I shall propose to enable him to go to a lawyer, which he must do, if he means to defend himself, and ascertain what his declaration means. Under these provisions the defendant is relieved from the expense of a separate petition, and his plea is declared to be an Appearance as well as a Plea. When the defendant has pleaded to the Declaration, and the parties are at issue, a subpoena is called at issue, after which the parties are called upon to appear before a judge having jurisdiction in the matter, where each may be interrogated as to the facts which constitute the real bona fide matter in dispute, and which he is to be sworn to, and may be examined on oath if both parties should deny his adversary's statements—to certify the facts which both parties have acknowledged to be true, and thus the trial at the assizes will be confined to the determination of such facts as the litigants respectively assert and deny, which would shorten every trial, save expenses of witnesses, render the concentration of facts to be determined by the jury much less complicated, their duty much more simple and direct. By the 7th Section, I propose to require the suppression of all useless, formal and unnecessary words not tending to elucidate the subject. The next clause proposes to make the most sweeping alteration of any, and doubtless will be declaimed against the craft, striking at the root of the science of pleading, enabling a journeyman blacksmith to bring or defend his case, where a mere money defence is in question. In as much as a writ, declaration, or plea, are actions by accounts and common money demands, afford no real information to any one as to the real matter in dispute. The courts have at all times upon application to a judge, directed the plaintiff to furnish the Defendant, and the Defendant to furnish the plaintiff, with a copy of the demand to cross-demand, tendered by set off. Now I propose in cases where the claims are for an account, note of hand, bond or other money demand, to dispense with all those formal proceedings, which afford no information to any one but a lawyer, and not much even to him, and to require each party to serve the other with a copy of their respective accounts, notes, or other claims, and upon due notice for each

party to appear before a judge of any court, to give jurisdiction of the matter, and ask for judgment without any writ, declaration, plea, or other formal proceedings, and in the Schedule to the Bill I give a form of a notice, which any schoolmaster may fill up informing the debtor that the creditor will appear before a judge on a given day to demand judgment. It is well known that many persons defend their suits, in which they do not deny, merely to adopt time. To remove all inducement to such a course, I authorize the judge upon hearing the party to give a stay execution for such reasonable time, as he shall think just to Plaintiff and Defendant; and do so upon terms of giving security in the meantime, or paying by instalments at reasonable intervals, thus giving the judge power to stop the rigour of the law, and to afford him such protection at the same time, by requiring the Defendant to give such security as it may be in his power to offer. A similar power is exercised by courts of equity, and I should not have the courts of law, which should have the same something authority. With regard to the Division Courts, I propose that the judge may take confessions of judgment with stay of execution as before described to the amount of £100 and that such courts shall have jurisdiction over all injuries to person or property to the extent of £10—and to order any article taken by one man from another of that value, to be returned in lieu of giving damages, which I am sure will be found very useful in all such cases, as persons who have obtained possession of chattle property by means short of being criminal, and are not worth seizing for damages. In Ejectments I propose that where there are two or more parties claiming the same premises, any party may ascertain by examining the parties, the court may inspect the deeds and papers, and give judgment either upon the legal or equitable rights of the parties—this course amongst other advantages will dispense with the intervention of Chancery, which either party has an equitable title which the court of law cannot give effect to, and where to prevent an unjust application, as a legal right recourse is necessary to a court of equity, inducing the commencement of a fresh litigation, in another and more expensive court, to the ruin perhaps of both parties. I also propose that both parties may be examined as witnesses, upon oath, and cross-examined in open court. Such examinations will give more security to the parties, and less opportunity for any party to give evidence of what they are informed.—With regard to Attorneys and other Clerks making affidavits, I would abolish the practice, and enable them merely to give solemnly the facts of their statements, which may desire to lay before the Court and be subject to be struck off the Roll, if they make false statements. I consider that the constant habit of making affidavits about their daily business tends to destroy solemnity of the oath, and induces less care in the assertion of matters and persons to go constantly in the habit of making affidavits on every trifling occasion would afford a witness a rule of conduct to be observed in all matters of importance, and would lead to a more solemn and accurate mode of giving evidence.

**MR. CAMERON** (Kent) moved an address praying for copies of all correspondence held by the Government on the subject of the School Bill.

**MR. HINCKES** objected to the motion as it was too general in its terms, and if carried would make it necessary to produce all the correspondence between the Superintendent of Education and the District Superintendents, as well as a copy of all the correspondence held by the Government on the subject of the Bill—that most certainly would not be produced, as it was of a confidential character. No person had a right to demand him to publish his private correspondence, and if that were the case, he would not consent to its production.

**MR. CAMERON** said, that he had taken charge of the School Bill passed last Session. He did not pretend to be very well qualified for the task, but had taken great pains to ascertain the feelings of the people, and for that purpose had corresponded with all the Superintendents of the Province. After he had withdrawn from the Government, the "organ" called it his Bill, as though it had not been a Government measure; and a letter appeared in all the papers, directing the people to pay no attention to it, and to vote against it, by the authority of one man, a law passed by a large majority of that House had been set at defiance. And yet he believed, judging from the tone of public meetings, that it was generally approved of, and that a great many of the members of the House had not gone into operation. With respect to the correspondence being private, he said he had no idea that was the case, as he had met with Superintendents of Education in different parts of the country, who informed that they had written to the Inspector General on the subject, and he thought the House was entitled to that correspondence.

**MR. CAMERON** (Cornwall) said that the hon. member was right to demand the private correspondence of the Inspector General, and he was quite sure that no one would demand it; but he would like to know if there was no official correspondence between the Government and the Superintendent. If there was, he thought the house was entitled to it, in order to ascertain the causes which had prevented the Act of last Session from going into operation.

**MR. HINCKES** stated that if the hon. gentleman would refer to the motion, he would find that it excluded the very correspondence of which he spoke. The demand it made was exclusively for private correspondence, and as a member of the Cabinet, he had not the right that was accorded to every other member of the House, to correspond with his friends before bringing in a bill.

**MR. CAMERON** (Kent) asked if the honorable gentleman did not send circulars round the country to the District Superintendents.

**MR. HINCKES** did not send any official circulars to any one. He had certainly written to some of the District Superintendents to inform them that he was doing it, and he was not officially, but for his own information in drawing up the bill he intended to submit to the House. The hon. gentleman had himself said, that he had corresponded largely previous to his bringing in his School Bill last session—had the hon. gentleman communicated that correspondence to any member of the Cabinet: or had he deposited it in the archives of the government, in order that it might be laid on the table of the House? Certainly not. The hon. member had looked on it as a private correspondence, which no person had a right to call for, and he would like to know if [Mr. H.] did not stand precisely in the same position. With reference to what the hon. gentleman had said about the "Globe" newspaper, he believed he was under a mistake, for [Mr. H.] had a pretty good recollection of the remarks it made on the School Bill, and he believed that no attempt was made to hold Mr. Cameron individually responsible for it; for his own part he was not disposed to shrink any share of the responsibility, but at the same time, he would confess his opinion that the bill had been passed with too much haste, consequently without sufficient consideration. Respecting what had been said about the Superintendent of Education setting at defiance an Act passed by a majority of the House, he thought it would be found that he had done nothing of the kind, but had only advised the people in his circulars, to take such steps as were consistent with law, and he must say that he dissented altogether from the hon. member for Kent as to its popularity. He

postponed.

**MR. JOHNSTON** hoped Mr. Boulton would postpone his motion until after the Government measure was before the House, when it might be taken up to more advantage (Chris of no, from Mr. Price, Morrison and a few other lawyers who were determined to vote the measure down.)

**MR. BOULTON** replied as some length, stating the objections of the Attorney General. He referred to the fact that at this moment these "new rules" and the whole system of special pleading, which the Attorney General had defended, were about to be abolished in England. He also referred to the School Bill of New York, where the entire system had been swept away.

**MR. WILSON** (London) said there was a great deal of clamour and a great deal of truth in that clamour against the profession, and if the members of the Attorney General, they would be excluded from this House. He then referred to several features of the Bill which he approved, and said he should vote for its second reading. He would impose a fine of one-tenth part the amount in dispute, for every false oath. He thought favorably of the proposal to abolish the writ in the first instance. He could see no sense in referring the matter to a jury, which might do better than a judge.

**MR. McDONALD** (Glenarry) argued against the Bill.

**Yea's**—Messrs. Boulton (Norfolk), Johnston, Malloch, and Wilson—4.

**Nays**—Messrs. Attorney General Baldwin, Boulton (Toronto), Scott, Cameron (Cornwall), Canehon, Chabot, DeWitt, Solicitor General Drummond, Fortier, John, Latereine, Laurin, Solicitor General Macdonald, Melnot, Morrison, Papineau, Price, Rose, Sarnbarn, Sauvageau, Scott (Toronto), Sherwood (Toronto), and Smith (Durham)—23.

The remaining Order of the Day were postponed till Monday next.

The House then adjourned.

**SCHOOL BILL.**

**MR. CAMERON** (Kent) moved an address praying for copies of all correspondence held by the Government on the subject of the School Bill.

**MR. HINCKES** objected to the motion as it was too general in its terms, and if carried would make it necessary to produce all the correspondence between the Superintendent of Education and the District Superintendents, as well as a copy of all the correspondence held by the Government on the subject of the Bill—that most certainly would not be produced, as it was of a confidential character. No person had a right to demand him to publish his private correspondence, and if that were the case, he would not consent to its production.

**MR. CAMERON** said, that he had taken charge of the School Bill passed last Session. He did not pretend to be very well qualified for the task, but had taken great pains to ascertain the feelings of the people, and for that purpose had corresponded with all the Superintendents of the Province. After he had withdrawn from the Government, the "organ" called it his Bill, as though it had not been a Government measure; and a letter appeared in all the papers, directing the people to pay no attention to it, and to vote against it, by the authority of one man, a law passed by a large majority of that House had been set at defiance. And yet he believed, judging from the tone of public meetings, that it was generally approved of, and that a great many of the members of the House had not gone into operation. With respect to the correspondence being private, he said he had no idea that was the case, as he had met with Superintendents of Education in different parts of the country, who informed that they had written to the Inspector General on the subject, and he thought the House was entitled to that correspondence.

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**MR. HINCKES** stated that if the hon. gentleman would refer to the motion, he would find that it excluded the very correspondence of which he spoke. The demand it made was exclusively for private correspondence, and as a member of the Cabinet, he had not the right that was accorded to every other member of the House, to correspond with his friends before bringing in a bill.

**MR. CAMERON** (Kent) asked if the honorable gentleman did not send circulars round the country to the District Superintendents.

**MR. HINCKES** did not send any official circulars to any one. He had certainly written to some of the District Superintendents to inform them that he was doing it, and he was not officially, but for his own information in drawing up the bill he intended to submit to the House. The hon. gentleman had himself said, that he had corresponded largely previous to his bringing in his School Bill last session—had the hon. gentleman communicated that correspondence to any member of the Cabinet: or had he deposited it in the archives of the government, in order that it might be laid on the table of the House? Certainly not. The hon. member had looked on it as a private correspondence, which no person had a right to call for, and he would like to know if [Mr. H.] did not stand precisely in the same position. With reference to what the hon. gentleman had said about the "Globe" newspaper, he believed he was under a mistake, for [Mr. H.] had a pretty good recollection of the remarks it made on the School Bill, and he believed that no attempt was made to hold Mr. Cameron individually responsible for it; for his own part he was not disposed to shrink any share of the responsibility, but at the same time, he would confess his opinion that the bill had been passed with too much haste, consequently without sufficient consideration. Respecting what had been said about the Superintendent of Education setting at defiance an Act passed by a majority of the House, he thought it would be found that he had done nothing of the kind, but had only advised the people in his circulars, to take such steps as were consistent with law, and he must say that he dissented altogether from the hon. member for Kent as to its popularity. He

had taken every means to obtain information as to the feelings of the people, and the opinion they had respecting it, and he was convinced that it was very unfortunate that the Superintendent had not been consulted previous to the introduction of the Act. He was well aware that prejudices were entertained against that gentleman, but nevertheless, he considered it his duty of the government to consult him as long as he occupied his present position, and he himself deeply indebted to him, for the information he [Mr. H.] had received on this subject.

**MR. SCOTT** (Bytown) said he was well known to be an out-and-out supporter of the Administration, but he would say on this occasion, that the greatest degree of annoyance was felt in his part of the country, because the Act of last session was not carried out. He had whole files of letters respecting it in his desk, and he would insist on the production of all the correspondence in the possession of the government.

**MR. HINCKES** asked the hon. gentleman who had just spoken, if it were his intention to produce the files of letters that he spoke of. It was most extraordinary that he (Mr. H.) was not to enjoy the right of corresponding with his friends or acquaintances, which all gentlemen claimed for himself, without being required to produce it for public perusal.

**MR. CAMERON** (Kent) having amended his motion, so as to demand only the official correspondence between the government and the Superintendent of Education, it was assented to by Mr. Hinckes, and passed.

**TUESDAY, JUNE 8.**

**Rebellion Losses Bill.**

**Sir ALLAN McNAID** moved for leave to introduce a Bill to amend the Rebellion Losses Bill of last session. He was quite prepared to find himself charged with the design of creating division among the different sections of the people in the course he was taking, but he believed that he was doing his duty, and conferring a benefit on the country. He could confidently appeal to the Members for Lower Canada, some of whose friends might be injured by the steps he was about to take, whether his conduct towards them had not been marked by a uniform course of justice. He had introduced into the Bill certain clauses from His Excellency the Governor-General's answer to the address from the County of Hastings. (The Hon. Member here read the Bill.) He had also adopted in the Bill the amendment proposed by the hon. Member for London, providing that none who were engaged in the rebellion should be indemnified. He had no wish to revert to the scenes of 1837-38, and he should move the introduction of the Bill.

After a short pause, no one rising, the motion was put and lost on the following division:

**Yea's**: Messieurs Badgley, Boulton of Toronto, Cameron of Cornwall, Cayley, Christie, Crysler, Dickson, Hopkins, McNab, Malloch, McConnell, McLean, Papineau, Prince, Robinson, Snymes, Sherwood of Brockville, Smith of Frontenac, and Stevenson—19.

**Nays**: Messieurs 1 Metrong, Attorney General Baldwin, Bell, Boulton of Norfolk, Boutillier, Borritt, Cameron of Kent, Chabot, Chaveau, Davignon, DeWitt, Solicitor General Drummond, Duchesneau, Dumas, Flint, Fortier, Fournier, Fourquin, Hall, Attorney General Hinckes, Holmes, John, Johnson, Attorney General Lafontaine, Latereine, Laurin, Lemieux, Solicitor General Macdonald, Marquis, Morrison, Noisain, Price, Rose, Sarnbarn, Sauvageau, Scott of Brockville, Smith of Westmoreland, Tache, Thompson, and Viger—40.

Colonel Gury stood up among the nays, but some of the Conservative Members having observed that the gallant Colonel was a few feet outside the bar, when the vote was called for, they objected to his vote, and the Speaker decided that it could not be recorded. Colonel Gury appealed to the House against the decision of the Speaker, but the opinion of the officer was supported by a great majority.

**NEW SCHOOL BILL.—SYNOPSIS.**

Section 1. repeals the present School Act.

Section 2, 3, 4, 5, 6, relate to the election of Trustees, give to resident householders only the right to vote on such elections, and authorize the annual meeting to "decide upon the manner in which the Teacher's salary and other expenses of the School shall be provided for."

Section 7. imposes a fine upon unqualified persons for voting.

Section 8. fines for refusing to act as Trustees.

Section 9. imposes a fine for neglecting to call School Meeting, and authorize a Special Meeting, in such cases.

Section 10. forms Trustees into a Corporation.

Section 11. points out the mode of deciding, when Trustees cannot agree upon the site of a Schoolhouse.

Section 12. under nineteen subdivisions, describes the duty of Trustees, in appointing Secretary, Collector, holding school property in lands, &c.; building or renting, repairing and furnishing School Houses; employing Teachers; authorizes them to levy an additional Tax upon School Section in case of a deficiency in making up Teacher's Salary, which tax may be payable quarterly or monthly; to exempt indigent persons from paying rate bill; to recover rate bills by "suit" from persons living out of School Section; to permit persons from five to twenty-one years of age to attend School; to visit School, and see that no unauthorized books are used; to be personally responsible for the fulfillment of any Contract or Agreement made by them, unless they can prove that they have exerted all the corporate powers vested in them by the act, for the fulfillment of such contract or agreement; to establish a School Library; ascertain the number of Children between the ages of five and sixteen in School Section; read School Report at Annual Meeting; points out Mode of proceeding when such Report is not satisfactory to the Meeting; and to present a full Report to local Superintendent," before the 15th day January ensuing.

Section 13. Fines Trustees £5 for signing false Report.

Section 14. Forbids all books not sanctioned by Council of Public Instruction to permit such religious instructions as parents or guardians desire, and forbids the contrary.

Section 15. 16. Define Teacher's duties.

Section 17. Trustees cannot dismiss Teach-

are, even when paid up.  
Sec. 18th, defines Council's authority for erecting school library, &c., as to establish a T. which the Council merge one or more it; establish alterations—change to 4 beginning of the ne  
Sec. 19. Author think fit, to estab Protestants, Cathol  
Sec. 20. enables householders in the to a Township, to under one Board of SCHOOLS AND TRUS AND INCORPO  
Sec. 21. Grants a as to Township M  
Sec. 22. enables inhabitants of such years as all these Tr Education for the 21th, Township Trustees low number schools a all and set in harm Grammar School's mistake of three to a shall decide upon it necessary for the City or Town, to pr as shall be desired Trustees." They shall be paid into the ver a given order of other duties similar Trustees.  
Sec. 25 empowers establish Schools, at Sec. action, to incorpate whole inhabitants shal vote, and two each a retire annually.  
Sec. 26 gives to powers of Trustees  
Sec. 27 empowers to raise by assess to a sum equal to or lative Grant, the Ex of Poor School Sec paid to County Tre of Dec.; and in the still such Treasurer local Superintendent County Councils to provision to enable to appoint one or more than 100 sch treasurer for each T for auditing the ac shall be transmitted to the Chief Superio COUNTY BOARD of Sec. 28. This body is com of the County Gra local Superintendent ending local Super quorum for examini to be arranged in ding to statement of subjects of HER M LOCAL SCHOOLS  
In Cities, Incorpor ties, these are appo Councils: In Towns Legislative Grant t according to the ac public Schools, whole average is cheques to qualified by Treasurer; visit year, deliver a lectu to the school, and fully to Chief Super March of each year.  
Sec 29  
All clergyman, J strates, Reeves and / of Common School a General Meeting c according to the ac Visitation continu CHIEF SUPERIO  
This officer is to Governor General [ his Council; but as Bill, the word "Goy Governor in Council sions, and authoriz to appoint Money, heretofore. To sp his Deputy, in his i superintendence of mit to Council of I Sec. action, and to common Schools; 4 for Libraries where equal sum; appoin County Teachers' directions; to prep accounts; to certify peniture of all the Colleges receiving a and even of the Pros and, of course, of Schools.  
COUNCIL OF S  
This body is app and it to be compos cluding the Chief S are to frame all Ru the management of Schools make Rules government, and ad School's" classified recommend or disap to be given to a n ad book, and repor  
MISCELLANEO  
Sec. XXIX. The who he gives an Grant, to defray exp and £1000 out of Teachers attending S  
Sec. XL. School Legislative Grant an (clear of all charges  
Sec. XLI. Govern doct annually from £100 for Libraries, £100 Architectural, and £2 Counties for support tute; but this expe for by some addition Upper Canada, in c cease of population a whole province.  
Sec. XLIII. Schoo on the 1st July.  
Sec. XLIV. Any i shed in consequence Security, shall be re neglecting to take au