

April 16, 1872

this personage presented himself with a number of his followers, close to the residence of the Lieut. Governor, and that he (the Lieut.-Governor) had received and embraced him for whose arrest it was said he had previously issued a warrant. He would probably call the attention of the House to the matter again and in another way. He based his motion on the statements made in the newspapers and Mr. McMicken's letter, and would reserve further remarks until the papers were brought down.

He (Hon. Mr. Mackenzie) would however ask whether it was not due to the House that the circumstances connected with the withdrawal of Lt. Governor Archibald should not be stated to the House. It was the first instance of the kind that had been before the House, and he desired to know whether that retirement had been produced by any correspondence from the Dominion Government, or whether it was the effect of the public events in the Province upon the Lt. Governor's mind.

Hon. Sir JOHN A. MACDONALD said that the papers would be brought down. He would say, however, that it would have been better if the hon. gentleman had reserved all his remarks. He had said just enough to show the animus which dictated the motion. He (Hon. Sir John A. Macdonald) would not be drawn prematurely into showing anything like a contrary animus, but would allow the matter to stand until the papers were before the House. As to the resignation of Governor Archibald, he would say that he, (Hon. Mr. Mackenzie) was very unguarded in his mode of expression, in his allusion to the withdrawal of Governor Archibald. There had been no withdrawal by the Government. The resignation by Mr. Archibald was an act of his own, without suggestion or indication from the Government. Mr. Archibald was appointed during his (Hon. Sir John A. Macdonald) illness, but he afterward fully recognized the wisdom of the appointment and still did so. Under the circumstances of the case of having to go into the country with an army at his back, it was not an enviable appointment and he went there purely from a sense of duty and at the strong instance of the Government.

At the time of his going he made it a condition that he should return at the end of a year, and in December last he (Hon. Sir John A. Macdonald) received a letter from Mr. Archibald stating that the year had more than passed, and that he desired to be relieved and enclosed his resignation. He (Hon. Sir John A. Macdonald) did not consider it advisable to recommend its acceptance, but since then Mr. Archibald has pressed for it in such a manner that no option was left to His Excellency's advisers, but to advise the acceptance of the resignation.

* * *

ST. CLAIR FLATS CANAL

Hon. Mr. MACKENZIE moved for copies of papers relating to the location of the Canal across the St. Clair Flats. He alluded to certain events that took place at Washington in connection with the Treaty, which showed that the Canadian Government had tacitly

acknowledged that the United States held dominion over that portion of the lake. Every person acquainted with the navigation of the Lake and River St. Clair, knows that the Canal is built on Canadian property, and he therefore desired information on which the action of the Government was based. The result will be that if this canal is recognized as being upon American ground, there will be no possibility of a Canadian vessel finding its way from Lake Huron to Lake Erie if the Americans choose to close the Canal against us.

The motion was carried.

* * *

RESIDENCE OF JUDGES

Mr. FOURNIER moved an address praying for the correspondence inspecting the refusal of Judge Bossé to comply with the order to reside at Montmagny.

Hon. Sir GEORGE-É. CARTIER said the correspondence would be brought down.

Mr. BEAUBIEN admitted that the district was injured by the non-residence in it by Judge Bossé, but thought that Mr. Fournier's remarks were prompted by party spirit. He thought it only right that the Judge should be made to reside at Montmagny.

Hon. Mr. HOLTON said that the object of the motion was not merely to obtain the correspondence in the matter but to elicit some statement from the Government as to what they intended to do in the matter, and he thought it only fair that the Government should state distinctly the real position of the question. He had heard the matter discussed elsewhere, and he believed the Judge was requested by the Quebec Government to take up his residence according to law within the limits of his District, but that he had hitherto refrained from doing so. He (Hon. Mr. Holton) was not able to say whether the Judge had actually refused to do so, but what the member for Bellechasse desired to ascertain was, what the Minister of Justice proposed to do and what redress would be afforded to the District which had suffered from the failure of the Judge to perform the duties required by law? There was a difference of opinion as to which Government had control of the Judges in such matters, but while the Local Government had undoubtedly power to assign the duties of the Judges and their Districts whenever there was a failure in discharging the duties, redress could only be sought through the Government in which the power to impeach Judges rested, namely, the Dominion Government, and the appeal therefore lay primarily to the Minister of Justice, and ultimately to the House. He thought the real point had not been met by hon. gentlemen opposite, who had merely assented to a formal motion without meeting its real features.

Hon. Sir GEORGE-É. CARTIER said the motion was simply for any correspondence on the subject, and the Government were not called upon to answer any further question. If, when the papers were brought down the mover desired to obtain any statement from