

a share of the parental property, leaving it as now enacted, optional with a father to give all to the second family, was an immense change. Then, again, the wording of the article about the dictation of wills was very confused. The hon. gentleman expressed dissent from the wisdom of the clause respecting civil death, inasmuch as it was exceedingly contradictory in regard to the disability arising from religious profession. He did not think the changes to which he had taken exception were for the better, and he believed that important changes in the code might have been submitted with advantage.

Mr. GEOFFRION briefly addressed the House in reference to a remark which he had made during the speech of the hon. member for Hochelaga [Mr. Dorion], defending himself against an exception taken thereto, by the Hon. Attorney-General East; and concluding with some remarks upon details of the code.

Hon. Mr. CARTIER said he would be most happy to hear any remarks or suggestions which hon. members of this House had to make in respect to the Code and its amendments, so that he might be in a position, when replying to the hon. member for Hochelaga [Mr. Dorion], to embrace the whole range of arguments of hon. gentlemen.

Mr. DUNKIN confirmed the statement that the committee last session had not been able to examine the entire body of the code, which had received but a slight examination at the hands of the members. It should be well remembered that no committee of this House had as yet really examined this great work. Not thinking that the code would be pressed through during this hurried session, he had not sufficiently examined the code during the recess. Before he would call attention to some of the clauses which he thought required amendment, he would wait to hear the explanations of the Hon. Attorney-General. He referred particularly to the clauses respecting civil death.

Hon. Mr. CARTIER said there had been an important amendment suggested in Committee which would serve as a guide to changes of a less important character.

Mr. DUNKIN felt that the discussion of this code had been of the most incomplete nature. If, however, the Government were determined to push it through, he would offer it no objection. He thought there should be a delay of a year between the promulgation of the code and its coming into force, to give professional men time to acquaint themselves with the new provisions.

Hon. J. A. MACDONALD said that as regards the code undergoing revision by the House, it was out of the question that a Legislative Assembly could undertake the codification of a national code of laws. The only thing that governments could do and had done in such matters was to select the most able and skilled lawyers for the work of codification in whom was reposed implicit confidence. It would be merely destroying the work of such well qualified workmen, if the legislature interfered with their labours. Legislatures must receive such works as they would any other kind

of work from the hands of skilled artisans. Any action by the House should be merely a petition offering suggestions to the Codifiers on certain peculiar points, or in the case of doubts on the part of the codifiers as to what the law really was in some particulars. Parliament could declare what the law was. Unless the amendments to this code were very numerous, there was no object in its being passed in connexion with a committee or without a committee.

Mr. DUNKIN desired only to urge strongly on the Government the propriety, or rather the absolute necessity, of allowing some delay between the promulgation and the coming in force of the new code. It would require that length of time for the public to obtain an idea of the changes which were being made. There was in the public mind a fixed opinion about certain laws and customs, with respect to which changes had been made. There, for instance, was the *clause comminatoire*. Every person understood that according to the present system one was only liable for the amount of damages actually proven; and people therefore would not hesitate to sign a contract containing any penal clauses, however onerous. Under these circumstances, he thought, as already stated, that—if not a year at least sufficient time to permit of a session being held in the interval—should be allowed to elapse between the promulgation of the code and its coming into force.

Hon. Mr. DORION adverted to the fact that the French Code had been so carefully considered and discussed, that the discussion occupied some thirty-five or forty volumes.

Hon. Mr. CARTIER, replied, showing the great length of time which the formation of a code in France had occupied at various periods and the number of experiments made in many reigns, caused by the number of customs of the various provinces.

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

After the recess

The SPEAKER took the chair at eight o'clock.

The debate on the code was resumed.

Hon. Mr. CARTIER said he would proceed to answer the observations and arguments of the hon. member for Hochelaga in the language he himself had used, with which, though English, most of his French Canadian friends were familiar. At the outset the hon. member had found fault with the alleged precipitate manner in which the Committee had gone through the code. He [Mr. C.] thought the remarks on the subject were not warranted. The Committee had done its work in the most fitting manner, and every amendment suggested by the codifiers had been taken into consideration. Not only was this the case, but the committee on many occasions, in order to be informed of the alterations in the common law, called the codifiers before them, where they explained why any amendments of the common law were suggested. No doubt the result of those interviews had been to convince the Committee of the propriety of the report now submitted. The hon. mem-