

less than trifling, for it is simply the turning to useful purposes lands that are now idle and non-productive.

No. 28.—PIERRE FORTIN, ESQ., M. D.

Dr. Fortin was first returned to Parliament at the last general election, so that his Parliamentary career is a very brief one. The electors of Gaspé commissioned him, by acclamation, to represent them in the Legislative Assembly as well as in the House of Commons; and in the latter he has looked after the interests which chiefly concern his constituents, shipping and the fisheries, with a zealous fidelity that has fully proved the wisdom of their choice. He is the son of the late M. Fortin, of Laprairie, and a graduate of McGill College University, where he took his degree of M. D. in 1845. In 1852 he was appointed Stipendiary Magistrate for the protection of the fisheries in the gulf of the St. Lawrence, and as such commanded the Government schooner "La Canadienne" from that time until the Union. He has shewn great activity in promoting the interests of the fishermen, and has also secured every session the appointment of a Committee of the House on the subject of navigation. Dr. Fortin is chairman of this Committee, the labours of which in collecting reliable data for the guidance of the Government in promoting the development of this important industry cannot fail to be productive of good. He also takes every opportunity of urging the establishment of schools of navigation at all the leading ports, in order that the seafaring population of the Dominion may receive a nautical training. These and other kindred subjects bring him not unfrequently to his feet in the House, and in the brief speeches he makes, he exhibits considerable facility in the use of English, and doubtless uses his mother tongue with still greater fluency.

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"CANADIAN ILLUSTRATED NEWS,"

A Leggetyped Copy of LEFEVRE'S Splendid Engraving of CORREGGIO'S celebrated Painting (the original of which is now in the Dresden Gallery) entitled,

"THE NATIVITY."

It will be printed on a large sheet of fine plate paper, the exact size of the Engraving being 14 by 19 inches, and care will be taken to make it in every respect as attractive and artistic as the original. All parties subscribing to the News, and paying for one year, any time before the first of July next, will be entitled to a copy of this magnificent Plate, the value of which may be inferred from the fact that the Engraving, of which it is a facsimile sells in New York at ten dollars per copy.

Montreal, 26th March, 1870.

## NOTICE TO THE PUBLIC.

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GEO. E. DESBARATS.

CANADIAN ILLUSTRATED NEWS OFFICE,  
319 St. Antoine Street, Montreal, }

## CALENDAR FOR WEEK ENDING MAY 7, 1870.

SUNDAY,	May 1.—Second Sunday after Easter. St. Philip and St. James. App. and M.M. Battle of Ft. Meigs, 1813. Prince Arthur born, 1859.
MONDAY,	" 2.—Battle of Lutzen, 1813.
TUESDAY,	" 3.—Finding of the Cross. Mahomet II. died, 1481. Jamaica discovered by Columbus, 1495. Union of England and Scotland, 1707.
WEDNESDAY,	" 4.—Battle of Seringapatam, 1792. Horace Twiss died, 1849.
THURSDAY,	" 5.—Napoleon I. died, 1821.
FRIDAY,	" 6.—Battle of Prague, 1757. Siege of Quebec raised, 1776. Penny Postage introduced, 1840. Humboldt died, 1859.
SATURDAY,	" 7.—Surrender of Badajoz, 1812. Reciprocal intercolonial trade established, 1850. Lord Brougham died, 1863.

## THE CANADIAN ILLUSTRATED NEWS.

MONTREAL, SATURDAY, APRIL 30, 1870.

It is undoubtedly desirable that uniformity should prevail throughout the Dominion in the laws regulating trade and transactions between individuals. Yet the Constitution has made an important exception in favour of the Provinces, with respect to "Property and Civil Rights;" and though it has empowered the General Government to legislate upon "interest," and therefore, as far as the law can, to regulate the price to be paid for the use of money, it does seem, with the antagonism of feeling existing upon the subject between the Provinces, that it would be an act of wisdom on the part of the Dominion Legislature to forego its undoubted prerogative in respect of this subject for the present. The work of assimilation must of neces-

sity be slow; to hurry it on too fast would only provoke antagonism in feeling which would be really more detrimental to the harmonious working of the Union than the mere existence of different local laws on a matter that, after all, has more of a local than a general importance. It matters comparatively little in Nova Scotia whether the law allows the lender of money in Ontario to accept whatever rate the borrower is willing to pay him; but it would matter a very great deal to Nova Scotia, if the freedom in money so satisfactory to Ontario were imposed upon Nova Scotia, where it would be distasteful to the feelings of the people. Now Brunswick and Nova Scotia have their own usury laws; Quebec and Ontario have the old Provincial Canadian Statute in force; and it may be readily understood that a Government, desirous of harmonising the usages and assimilating the laws of all the Provinces, would seek to sweep away these different laws by the substitution of one general enactment, applicable to the whole Dominion. It is also a fact that the existing Canadian law is not approved by a majority of the representatives of Quebec, though it may be inferred that their objections are theoretical, rather than practical; for, after a careful reading of all the debates in Parliament on the subject, we have been unable to detect a single case of hardship, resulting from the existing law, that the proposed changes would prevent. However, it was avowedly to effect uniformity that the bill to regulate the rate of interest was introduced by the Government.

The Ministerial intention, so far as the general principle is concerned, was no doubt good; but uniformity, like many other things, good in themselves, may be purchased at too high a price. Even in respect of the currency, (a far more important matter than the rate of interest) the little Province of Nova Scotia has been permitted to stand out against the rest of the Dominion, in deference to the strong feeling of its people; and the question of interest, which any law can but imperfectly regulate at the best, may as well be left in the same position, at least for a time. The fact is that the terms on which it was proposed to obtain uniformity in this particular were radically wrong; they fixed an interest limit so high that every advocate of a usury law must regard it as usurious, and the only penalty for exacting a higher rate was the mere forfeiture of the excess. The latter provision would afford no protection to the solvent borrower, because he would be obliged to pay whatever he agreed upon in order to preserve his credit; and it would be a positive oppression upon any borrower falling in arrears, because the lender—to save himself—must at once foreclose, or run the risk of losing his higher interest. Most men having lent their money for interest are willing to forego its use so long as the interest is paid and the security is good for the principal. But when the lender knows that the first default may lead to a lawsuit, in which his stipulated rate would not be recoverable, everyone must see that he would lose no time in enforcing the payment of the principal at whatever sacrifice to the unfortunate borrower; and no one needs to be told that money is generally lent on such terms that the first default makes the whole sum due. As to the provision against excessive interest it can scarcely be said, therefore, that the bill favoured the borrower; while as to the legal rate it would, as originally introduced at 8 per cent., have materially injured him in the Maritime Provinces where a lower rate is now fixed by law, without conferring any additional benefits upon his class in the Provinces of Quebec and Ontario.

This much as to the principle of the proposed compromise, which, as shewn by the action of Parliament, was plainly distasteful to the country. Ontario objected because of the proposed restrictions; the Maritime Provinces because of the usurious rate which the bill would legalise. Now such a compromise as proves mutually offensive to the majority of both the parties to the diverse systems sought to be harmonised, is surely less desirable than the continued toleration of the diversities with which each of the parties concerned are mutually satisfied. It may be said that our proposition, carried to its logical conclusion, ought to recognise the propriety of the Province of Quebec having its own law of interest, because it is alleged to disapprove the existing statute; but Quebec is at least no worse off in this particular now than it was before the Union; whereas the forcing through of the interest bill in its original shape would have been an offence to three out of the four Provinces.

It is needless to speak of the interest bill as amended on Saturday night, for it has been doctored to death. In fact we have only quoted it as an instance of the danger of making too much haste in the work of assimilation. While the Government ought undoubtedly to promote uniformity in the law as far as possible, there will be nothing lost to the country by waiting patiently for that harmony of public sentiment which alone will make such uniformity respected. There is evidently much preliminary work to be done, and long waiting to be endured, be-

fore the Provinces already within the Dominion, and the new communities yet to be brought in, can be so harmonised as to accept all measures of a general character without reference to previous local laws or usages. In many countries diverse local laws have existed for centuries, and though the governing bodies have invariably striven after uniformity, and sometimes struggled for centralization, yet the most powerful and the least deferential to the popular will, have been compelled betimes to pause in the work, and not only to stay their hands, but occasionally to retrace their steps. In the peculiar position of Canada, the central government will act wisely by deferring to the strong Provincial feeling on certain questions of general policy; and the larger Provinces will in the end profit by a studious regard for the interests and even the prejudices of the smaller.

## OBITUARY.

MR. JAMES MOIR FERRES.

On Thursday of last week Mr. James Moir Ferres, Warden of the Kingston Penitentiary, died, at the age of 57. He had been suffering for some time, and the disease, cancer in the stomach, was one which is not disposed to yield to remedial measures. He leaves a wife and a large family to mourn his loss.

Mr. Ferres was a native of Aberdeen, and like almost every other prominent Scotsman, seems to have been utterly destitute of those cautious, *canny* qualities of which the popular notion is that the Scotch character is mainly made up. On his first arrival in Canada in 1833, he entered on the duties of School Teacher, and subsequently became connected with the Press, through his contributions to a journal published in the County of Missisquoi. Afterwards he was connected as a writer with the *Montreal Herald*, and in 1848 became the Editor and Proprietor of the *Montreal Gazette*, having purchased the plant and good will of the business from the late Mr. Abraham. These were times of strong political excitement, and if Mr. Ferres was true to his nature he left not a strong word in the language unused to describe the depth of his feeling in favour of the side he had chosen. In 1853 he disposed of his interest in the *Gazette* to Messrs. Lowe and Chamberlin, and at the general election the following year, was returned to Parliament for the County of Home. His course in Parliament, like his career on the press, was marked by uncompromising hostility to those who were not of his party; and during the newspaper discussions of those days Mr. Ferres was the butt for many a bitter diatribe. On the organization of the Board of Prison Inspectors in 1861, Mr. Ferres retired from Parliament and accepted office as a member of the Board. On the death of Dr. Nelson, the first Chairman of the Board, Mr. Ferres was appointed to that position; and on the retirement of Mr. D. E. McDonnell from the Wardenship of the Kingston Penitentiary, about eighteen months ago, he was induced, at the instance of Sir John A. Macdonald, to accept that office. It is said that as Warden Mr. Ferres had introduced reforms in the management which have effected savings to the extent of twenty thousand dollars a year; but his term of office was entirely too brief to prove whether this was penny-wise and pound-foolish policy, or real practical economy. This question has now lost its interest in the premature death of Mr. Ferres. He was a man with many bitter enemies and as many, we trust more, fast friends. Of all the spites and hatreds with which we have been made familiar in Canada, and we have heard of many, there have been none more bitter than those between the subject of this notice and the Hon. George Brown; and the secret of this unbrotherly antagonism is undoubtedly discoverable in the similarity of their natures—their stubborn uncompromising individualism, which brooked not opposition from any quarter. Mr. Ferres was undoubtedly a man of strong feeling—a Scotsman of strong prejudice, if you will—but he was neither heartless nor cruel. A kindly critic says he was possessed of "almost two natures—one that he presented to his friends and associates, 'the other that he presented to his enemies, real or supposed.'" This is not remarkable; so long as the conflict of human passions goes on, the same remark will be more or less true of most men. It may at least be said of Mr. Ferres, that if he provoked the cordial hatred of his opponents, he won the lasting esteem of his friends; in the social and the family circle he was always an attractive centre, and in his official contact with his associates and the unfortunates over whom he and they were placed, he won golden opinions from all. To his friends throughout life, he was in every sense of the word a true man; and his opponents always found him an honourable, because an undisguised foe. His remains were brought to Lachine and buried in Montreal on Sunday last.

MR. DANIEL McDUGALL.

An old native Upper Canadian, Mr. Daniel McDougall died at St. Mary's, Ont., on the 23rd inst. He was the son of John McDougall, a Scotsman, who served in the British Commissariat during the American revolutionary war, and at its conclusion, as one of the United Empire Loyalists, took up his residence in Nova Scotia, and subsequently removed to York (now Toronto) in Upper Canada, where Daniel McDougall was born in 1796; he had, therefore, exceeded by four years the allotted period of three-score and ten. The late Mr.