

but without committing of the House to the principle of the Bill he would ask that it be read the second time, and sent to the Committee on Private Bills, where there were several eminent professional men who would remedy any defects in the measure.

Hon. Mr. BELLEROSE said he had no objection to this Bill if it might constitutionally be passed by this Parliament; but from what he saw in the second clause of it, he believed it was merely of a local character—very like the Bill which he (Mr. Bellerose) had brought before this House two sessions ago. If the mover thought it advisable that the Bill should go to Committee, he would have no objection to its being read the second time on a division; but he did not see the necessity of that, because it was a useless waste of time to do so if this House had not the jurisdiction to pass such a measure.

Hon. Mr. SCOTT said no doubt there were precedents for such legislation in our Statute Books, and a similar Bill was introduced some years ago, but the general feeling of late was that it was inadvisable to pass such measures in this Parliament. While no objection could be urged to any of them, all having praiseworthy objects in view, they should be treated alike. As the hon. gentleman behind him (Mr. Bellerose) had observed, the Bill introduced by him two years ago, in which it was sought to allow a Society to hold land in several Provinces of the Dominion, with the view to sustain education in connection with their Order, was declared to be of a local character. The House on that occasion referred the Bill to the Supreme Court, and the Court decided it was not a subject that pertained to the Federal Parliament. The view expressed on that occasion was that where the functions sought for could be obtained from the local legislatures, it would be more convenient that the Act of Incorporation should be granted by them. He thought the Bill might be read the second time, with the understanding that no Senator was committed to the principle of it. For his own part, he had had no opportunity to examine it thoroughly, but on the face of it there was the objection that had been pointed out.

Hon. Mr. MILLER did not think the case mentioned by the hon. the Secretary of State was analogous to the Bill under

*Hon. Mr. McMaster.*

consideration. The Bill which had been referred to the Supreme Court two sessions ago, was one whereby it was sought to incorporate the Christian Brothers for the purposes of education. It was referred to the Supreme Court who, on the ground that the question of Education was one altogether within the jurisdiction of the local legislatures, decided, rightly or otherwise, that the Bill should be brought before the local legislatures. This Parliament, under the British North America Act, had no right to deal with the subject of education, and, therefore, it was *ultra vires* for this House to pass such a Bill as the one asked for by the Christian Brothers. This measure, however, was one of an entirely different character, and he did not see any reason why it should not go to its second reading and be entertained by this House. It was not a local Bill. He could not fancy any measure of this nature which would be less local in its objects. It was not a Bill whose aims and purposes were peculiar to any Province of the Dominion; on the contrary, its operations were to be confined to foreign missions.

Hon. Mr. PENNY—It is for purposes abroad—outside the Dominion.

Hon. Mr. MILLER said it was a Bill for the purpose of incorporating a body whose missions were carried on in foreign countries. If the Bill were exclusively for purposes within the Dominion, or within any Province of the Dominion, he could understand why it should be looked upon as a local measure, but he saw nothing in it that brought it within that category. On the contrary, he thought it was the very reverse. It might be a question whether the object desired could not be obtained by an Act of Incorporation from any Local Legislature.

Hon. Mr. SCOTT—That is the view I take of it.

Hon. Mr. MILLER said if there were no reason in principle, or constitutionally, why it should not emanate here, he did not see why this Society should not be allowed to come here. If it established a precedent, that precedent would serve for all denominations. This House would deal equally with all religious bodies coming for acts of this kind. Therefore, he did not see how any injustice could accrue from allowing this Bill to be read the second time. If he had any idea that