



The St. Thomas Chronicle

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Parliamentary.

LEGISLATIVE ASSEMBLY.

From the British Colonist.

Tuesday, Oct. 17, 1843.

The Post Office.—In reference to the message and despatch, Mr. Thorburn moved—that an honorable address be presented to His Excellency the Governor General, praying that he will be graciously pleased to direct that the correspondence which has passed between the home and provincial governments, respecting the post-office department in this province, or of British North America, and also of the United States of America, relative thereto, or any further information upon the same subject, which His Excellency may deem necessary, and please to communicate, may be laid before this house; and also, quarterly statements, showing the gross amount of receipts and expenditures of the said department in this province, from the 5th January, 1841, to the 5th April, 1843; the amount of receipts derived from letter postage; and also the amount of newspaper and pamphlet postage, stated separately, with amount of perquisites arising from the latter description of postage, during the same period, to the Deputy Postmaster General of this province, or his deputies, stated separately;—and also the amount of postage charged to and paid out of the provincial funds of this province, stating the amount to each department thereof, separately during the same period. Also, any information relative to the establishment of Post-office Enquiry referred to from the throne, in the opening speech of the first session of the present parliament; and further, a statement of salaries of officers in the said post-office department of this province, the amount thereof, separately, and from what part of the funds thereof paid; whether from the aggregate of letter or newspaper and pamphlet postage, naming the officers in each office, and the amount actually paid to each, or any other allowance to each, for office rent, stationary or otherwise; and, further, if any thing has been done to alter, augment, or reduce the present rates of postage; and, if so, what the nature of such alterations are, and the grounds or authority by which the same have been done.

American Reprints.—Mr. Simpson moved for a special committee to inquire into the effect of the English copyright and the exclusion of American reprints. The committee—Dr. Dunlop, Aylwin, Wakefield, Derbyshire, Forbes, and Christie.

Mr. Lafontaine moved the concurrence of the house, on the report of the committee on the bill for the Independence of Parliament. Some discussion arose thereon, owing to an amendment moved by Mr. Neilson, to re-commit the bill. Upon a division, the numbers were, yeas 5, nays 52. The minority, Messrs. Neilson, Watts, Moffat, Cartwright, and McLean. The bill was then ordered to be engrossed.

House in committee upon the customs' duties.

Mr. Hincks moved a series of resolutions to the following effect.—To exempt from duty, agricultural products and cattle imported into the province, for the use of the fisheries in Gaspé; to remit all duties upon live stock imported in virtue of contracts entered into with the commissariat, before the 1st of October, and to have the duties levied under the act passed last session; and to admit free all cattle and swine imported for exportation—warehousing ports to be established for this purpose.—To exempt in favor of contractors, some opposition was offered.

Mr. Thorburn contended that the contractors were fully aware that a measure of this kind was to be introduced, and had made their contracts accordingly; that the farmers looked to the contracts as a market for their products which would be closed to them for a certain time, by this resolution; that it was only a month before the meeting of Parliament, that these contracts were closed; and that the onus of the measure would fall upon the inhabitants, while the contractors, who could afford it, would be exempted.

Mr. Cameron argued in favor of the contractors.

Captain Steele spoke to the same effect.

Mr. Hale observed that the member for Simcoe had great sympathy for the commissariat, and none for the farmers. The

contractors were prepared for this measure.

Mr. Moore—Who are the contractors? Not inhabitants of Canada; but denizens of the United States. Many who had taken contracts in Lower Canada, were natives of Vermont; and were these men, inhabitants of a foreign country, to step in, and usurp the rights of the people of Canada, and operate as a barrier to her farmers obtaining a remunerating price for their products? (Hear, hear.) Such was the distressed state of the farming population, that it was imperative they should have relief to its full extent, and not by half measures. Contracts were a lottery; and those who made them, must submit to the changes in the times.

Mr. Hincks explained.—The resolution in favor of the contractors had nothing whatever to do with the crown; but was intended as an act of justice towards those who had entered into engagements with the commissariat, upon the faith of existing laws.

Mr. Neilson could not understand how it could be known to every one, that this measure was to be introduced, when it was rejected in 1841, brought forward the following session, and then dropped. In England, contracts were held inviolable: why not here?

Mr. Moore.—In 1841, a system of reciprocity prevailed in the United States.—Since then, a duty of twenty per cent had been imposed there upon our products.—The consequence was, that the agriculturists of Canada were clamorous for a protective system.

Mr. Thorburn desired to know why the contractors for the Board of Works, were not also to be exempt? They were paid by the public, and held their contracts for twelve months; whereas, the commissariat contracts were only for six months.

Mr. Johnston was in favor of exempting existing contracts from duty.

Mr. Durand expressed opposite opinions, and maintained that the farmers only wanted a remunerating price.

A long debate ensued upon the last resolution, to admit free cattle and swine imported for curing; no duty to be paid for the same, but a bond entered into, such provision to be housed in warehouses provided by the government of the different ports.

Nearly the whole of the supporters of agriculture in the House, rose up in arms against this resolution, contending, that it would open a door to a system of fraud and deception throughout the Province, that would defeat the whole measure; it being utterly impossible to bond the swine and cattle that would be imported—which, when once landed in the country, would spread here and there, and be disposed of just as before, when no act existed imposing any duty at all.

Mr. Roblin said, that by this provision, a bond might be entered into, to export a certain number of barrels of beef or pork, the drawback would be got, whether it was American or Canadian beef and pork.

Capt. Steele desired, that the agriculturists should be fostered, and looked upon as the best customers of the merchant.

Mr. Durand would rather have no canals, than that our agricultural interests should be sacrificed to them.

Mr. Hincks said that although he was aware that drawbacks were open to fraud, still, he thought by a system of bonding, this might be obviated. Farmers had now the home market to them, and surely they could not desire to cripple commerce. By diminishing the carrying trade, the number of consumers would be diminished. The reason that the Imperial Government had not imposed a duty upon provisions imported into the Province, was, to benefit our commerce and for our own consumption.

Mr. Watts maintained, that the merchants could well afford to pay a higher price than they did. Some he knew had given only \$2 1/2 for beef. They could very well afford to pay \$5. The tax proposed upon agricultural imports, would be merely diminishing the very large profit of the buyer, who became rich at the farmer's expense. At present, the Canadian farmer only had one market, while the American had access to two, — his own and ours. It was impossible for our agriculturists with small means, to compete with those of the United States with large and well cultivated farms. Here, agriculture was in its infancy, and required fostering,—there, it had arrived to maturity, and could defend itself. The Americans under the present system, could glut our markets when they pleased, while we helplessly looked on. If however, the prospered relief, was to be hampered in the way in which it would be by this resolution, he (Mr. Watts) would rather have no bill at all, as it would be merely giving the shells to the farmers and the oysters to the merchants.

Mr. Roblin pronounced the resolution a manoeuvre, not one word having been

mentioned to him about the drawback, although he had been consulted upon the measure generally. The member for the North Riding of Lincoln, (Mr. Merritt) he said was carried away with his theories about a home trade. The home trade of Canada was to be found in her land, millions of acres of which were unutilized, while in England every inch was taken up, and compelled the people to seek other channels to employ their labor and capital. If any wished to import fresh beef and pork for the sake of trade, let them pay the duty on it. If speculators in the carrying trade did not succeed, it was the fault of those who engaged in them. They placed their dependence on trade, and must abide by the results. It would be, therefore, an act of gross injustice, to call upon the farmer to bolster up the commercial classes, when the latter were generally wealthy men, while the former was poor and depressed.

Mr. Hincks replied at some length, showing that the object of the resolution, was to protect commercial interests, without, in the slightest degree, encroaching upon those of the farmer.

Mr. Johnston said, the whole was a trick on the part of the Government.—(Amidst continued cries of question, question, the debate was adjourned till to-morrow.)

WEDNESDAY, Oct. 18.

Mr. Forbes presented a petition from certain shoe-makers of Montreal, praying for protection, by the imposition of duties on foreign leather and manufactured shoes.

Petitions asking for agricultural protection, were presented from the Hymé and Niagara districts and other places, by Messrs. Hincks, Thornborn, Williams, and Child, and referred to the committee of the whole on customs' duties relating to agriculture. The petition from the Home district, was apparently many yards in length. Mr. Hincks read one or two passages from it, showing, that while the petitioners earnestly prayed for protection, they were desirous of not interfering with the trade or commerce of the country.

Mr. Hale moved, seconded by Mr. Roblin, for leave to bring in a bill to provide for illegitimate children.—1st reading.

Mr. Merritt inquired of the Government, whether it was their intention to repeal the double security clause in the Bank charters.

Mr. Baldwin, on the part of the Government, replied in the affirmative.

The House in committee of the whole, then resumed the debate on the Customs' duties, without any thing new being elicited.

Dr. Dunlop ridiculed the idea of bonding pigs and cattle. He knew that merchandise was bonded, but never heard of bonding a cow. He (Dr. Dunlop) preferred, that the duty should be paid at the time of importing the cattle and swine, and a drawback allowed upon their being exported bona fide in the shape of beef and pork.

Mr. Cameron said the act was to be a temporary one,—to go into effect between now and the 1st of January. The hon. member's views were in favor of the bonding system, being of opinion that it might be carried out here with as much effect as in England, as every vigilance would be adopted to prevent fraud.

Mr. Wakefield said that his constituents were earnest in their demands for agricultural protection, which he felt it was his duty to support. Although he (Mr. Wakefield) was, on the general principle, for free trade, the peculiarity of the position of Canada, with Great Britain on one side, and the United States on the other, required that an exception should be made in its favor. He (Mr. Wakefield) had seen cattle raised in L. Canada, offered for sale at almost a ruinous price, and yet purchasers could not be found. He, notwithstanding, had seen large droves from the United States, going to Montreal, to be sold for what they would fetch in cash, to enable the owners of them, in the United States, to pay their taxes. As this tended to keep low prices still lower, it was not reasonable that the farmers should complain.

Captain Steele remarked, that while such would soon be the state of the roads, that the farmers from the back townships, would not be able to bring their cattle in, the foreigner would monopolize the market. He had heard that a deputation had arrived from Jefferson county, in the State of N. York, against the measure. (Cries of no, no.)

Mr. Simpson entered at some length into statistics, showing that a very large amount of beef and pork, passing through the St. Lawrence, had been shipped to Great Britain last year. Though the representative of a great agricultural country, he was opposed to agricultural protection.

Mr. Holmes regarded any attempt to foster agriculture at the expense of other interests, as an act of selfishness. The debt incurred for public works on the St. Lawrence, must be paid for by tolls. By

the resolution under discussion, the duty must be paid on the cattle, when imported, or a bond entered into; besides, the benefit to be derived from those employed in packing and curing, as additional consumers, would far outweigh any advantage to be derived from any duties that might be imposed.

Col. Prince could speak from experience, that the interests of the farmer were almost disregarded. The measure, he considered not stringent enough. He would impose the same duty upon United States produce as they levied upon ours. The Americans could raise immense herds of cattle upon their rich prairie lands, while we were obliged to fatten ours upon land which cost in the first instance, twenty dollars per acre; consequently, either by fraud or otherwise, they could always undersell us. He had no wish that agriculture should flourish at the expense of the commercial classes; but, at all events, it should be placed upon an equal footing with the latter. The resolution before the chair he regarded with distrust, as opening a wide door to fraud and deception.

Mr. Viger would give every protection to agriculture, but leave commerce unshackled.

Mr. Hincks spoke at some length in favor of the resolution. Well informed farmers, he said, were in favor of it. After expending three millions, we now wanted to destroy the carrying trade. The farmers, in the end, would in consequence have to pay the interest. (No, no.) The reciprocity system he disapproved of, but would impose protection duties, even though the Americans should take their duties off.

Mr. Moffat's arguments were, that taking climate and soil, and the inferior price paid in Canada for labor, as compared with the United States, the Canadian farmer ought to be able to compete with his neighbor. Having a market in Great Britain greater than we can supply, he could see no reason for opposing the admission of American produce. We had to pay our debts. If, therefore, by the destruction of our commerce, we are to be deprived of the means of so doing, we must submit to direct taxation. He was of opinion that the bonding system, notwithstanding what had been urged in its favor, would not naturalize the article, and cause it to be received in the Home market as Canadian.

Mr. Jones and Mr. Johnson followed.—(Cries of "Question, question!")

The resolution was then read, admitting cattle and swine duty free, in bond, for sale and packing for exportation.—Warehousing ports to be established.—The resolution was carried by a large majority. As amendments, wheat-meal was added to the other kinds of meal, to be charged with duty. The duty upon oxen 4 years old and upwards, was also raised from 16s. to 2l.

The committee then rose and reported.

THURSDAY, Oct. 19.

A petition was presented by Colonel Prince for a tax upon dogs.

Mr. Holmes moved to have the petition of the Ministers, Elders, and Trustees of St. Paul's Church, Montreal, praying for an act of incorporation, referred to the standing committee on private bills.

Mr. Hincks moved the concurrence of the house upon the several resolutions adopted by the committee upon the customs' duties.

Mr. Neilson rose to record his objection to the measure, pronouncing it a proof of the greediness of self interest, and a deception instead of protection.—Whether regarded in a financial, political, or national point of view, it was equally objectionable, and considering our extended frontier—100 miles in length, the government that could enforce such a system would prove a nuisance; as it would carry with it the seeds of demoralization, and be a premium upon smuggling; paralyzing the efforts of the honest and fair trader, who obeyed the law, while those who broke it became enriched. Napoleon with all his armies, had not been able to prevent smuggling, and how could we expect to do it in short, it was a system that would reduce the price of labor, while it raised the price of provision; and would ultimately drive the emigrant laborer from Canada to the United States. The hon. member then moved, in amendment—Resolved—That in the present state of opinion throughout the world, in respect to freedom of trade, it is expedient to extend or introduce the system of imposing taxes upon the food of one description to the inhabitants, with a view to benefit another class; and particularly, to impose taxes on the importance of food, from the use of the non-agricultural population in this Province.

Mr. Hincks was surprised to meet with this opposition at this stage of the proceedings. The taxes now proposed were on the principle of reciprocity. Other interests were protected, and the Canadian farmer demanded that the same privilege should be extended to him. As to smuggling which was urged as an objection to the measure, he would allow that in the ar-

title of tea it prevailed to some extent, but not in any great degree with regard to other articles. He was of opinion that the duties might be collected with ease, and were such as were required for the very existence of those who expended their labor and their capital in farming.

Mr. Simpson was opposed to it both in principle and detail, and would therefore support the amendment.

Dr. Dunlop affirmed that the whole wealth of Canada was from the Plough, the country neither having manufactures nor minerals. What other interest then, could be put in competition with agriculture? As the navy, he said was to Great Britain, so was agriculture to Canada.

The amendment was then moved and lost—Yeas 9, Nays, 50.

The question of concurrence was then put upon the resolutions separately.

The Resolution to admit articles for the use of the fisheries duty free, was carried unanimously.

The bill on certain adverse claims, went through committee, and was ordered to be engrossed.

The House then went into committee on the bill to allow all religious denominations in Canada West, to hold lands. The committee rose and obtained leave to sit again.

Mr. Christie obtained leave to bring in a bill to incorporate certain persons residing in England, for the purpose of carrying on fisheries in the district of Gaspé and the Gulf of St. Lawrence, together with the privilege of mining, for a limited period. It was elicited, during discussion upon the resolutions embodying the provisions of the bill, that the company were desirous of embarking capital in this enterprise, to the extent of from £150,000 to £200,000; that the mining project had reference to coal which was said to be abundant where they proposed to establish themselves, and presumed no encroachment upon the rights of the Crown, and that they were perfectly willing to submit to any wholesome restrictions the Legislature might think proper to impose, with the view of their being made responsible through the Courts of the Province, for any engagements they might enter into.

The House then went into committee upon the report of the standing committee on contingencies, when resolutions were passed for addresses to his Excellency, to issue his warrant to the clerk of the House for £3578 9s. 7 3/4, to defray the arrears and contingencies of the House during the last session and the recess; also for an address of a similar import for the sum of £5000 currency for the current expenses of the present session.

Mr. Thorburn in reply to Mr. Aylwin stated that the House would be pledged to no particular claims or items contained in the report, but that on a future day, a detailed statement would be given of all disbursements.

The House adjourned.

FRIDAY, Oct. 20.

The Montreal Bank bill, to amend the charter passed.

The Montreal Protestant Orphan Asylum Incorporation bill, went through the third reading, and was ordered to be engrossed.

JUVENILE HOUSE OF REFUGE.

The House went into committee to consider the establishing of a House of Refuge for juvenile offenders.

Mr. Cartwright (from whom the measure emanated), trusted that every one would feel an interest in so important an object. Owing to the vices of parents, children were too often either wholly neglected, or exposed to the most corrupt habits; and who ever attended a criminal court, could not fail to be struck with the want of moral culture, and the effects of intemperance that would there be presented to him. In this district (the Midland) alone, the ratio of crime was greater than that of the population. He (Mr. Cartwright) had the subject under consideration for the last two years, and felt convinced that no better institution could be established, than one of this kind, which would rescue children of a tender age from a career of depravity, and make them useful members of society. It had occurred to him that one Asylum would do for all. It might be erected without any great expense, and placed under the care of the Warden of the Penitentiary.

Dr. Dunlop, had often observed with much regret, the system that prevailed in the present day, whereby it too frequently happened that through a kind of maudlin and disgusting sympathy, vice was cherished, at the expense of virtue. At Sheerness, each convict cost the government 3s 6d. per diem, while an honest labourer, who worked fourteen hours a day could scarcely get bread to eat; and such was the tenderness, with which he (Dr. Dunlop) had seen them treated, that when a shower of rain came on, they were ordered under shelter, while the free man who honestly earned his living by the sweat of his brow,

was obliged to continue his labor exposed to it. Instead of saddling the country with an expense, to reform a set of blackguards systematically, he would have them well flogged when they played their pranks, as school boys were. Of all those that went to the Penitentiary, but few ever reformed. Indeed, reformation was only the secondary consideration with regard to punishment, the principal object being, to deter others from committing the same crime.

Captain Steele looked upon the people of Canada, as moral and well conducted people, compared with other countries, the children rarely exhibit the depraved habits of those, in large cities of Great Britain.

Mr. Aylwin—A matter of greater importance could hardly be brought before the house. The proposition was, not to inflict an adequate punishment for crime, but to check it at the outset, by extending a kind of merciful guardianship over those youthful delinquents, who were outcasts from society. He entirely differed from the opinions of the member for Huron, and considered reform in such cases perfectly attainable. Society was ready to punish guilt, let it also be disposed to shield from it. In order however, to arrive at a sound system, an extensive inquiry should be made in America and Great Britain, that every information on the subject might be obtained.

Mr. Neilson was of opinion, that unless parents would educate their children, it would be in vain to hope for any reformation. The legislature would therefore be called upon to take some steps in the matter, in order to restore public morals and enforce a due regard for religion. In New York, there was an Institution of this kind, that had been eminently successful, those who had been sent to it, having been taught a trade and made good members of society.

Mr. D. B. Viger—Unless some kind of classification were adopted with regard to prisoners confined in the different jails, there could be no prospect of crime ever being on the increase. The present system was a most defective one, the novice being mixed up with the hardened and incorrigible offender.

Mr. Morin did not coincide with the views of the member for Lennox and Addington, to have only one Asylum for juvenile offenders. A Mr. Philebery, in Germany, had established a school upon this principle; and by a course of moral and religious instruction, combined with wholesome labor, had wrought such a change in those under his care, that they became good farming servants, and were sought for all over Germany. His plan, at first was to teach them hymns and prayers, as a substitute for the lewd songs and immoral tales which they had been accustomed to listen to;—and following this up, he eventually converted them into good men.

Mr. Hincks agreed with what fell from the member for Saguenay, that the proposition could not be entertained this session although the government were fully disposed to concur in the expediency of establishing institutions of the kind. He (Mr. Hincks) hoped that there would soon be a general system of incorporation all over the country, which would allow of such establishments in every town. He would however, like to see the system first tried in the large cities and towns; such as Montreal, Quebec, Toronto, Kingston and Hamilton; and it could afterwards be multiplied, as the exigency of the case might require. The following resolutions were then concurred in, and referred to a select committee.

Resolved, That in the opinion of this committee, the prisons in this province, at present, are not suitable places for the confinement of children; but such confinement induces or leads them to crime, as they are confined with old and hardened offenders.

Resolved, That it is desirable to consider the propriety of establishing asylums or other means of classification of prisoners, in which children of a certain age, who become subject to the notice of the police, either as vagrants, or charged with crimes, may be received, classed, put to work at such employments as will tend to encourage industry, be taught the first branches of education, and instructed in moral and religious obligations; and where at the same time, they may be subjected to in course of treatment that will afford a prompt and energetic corrective of these vicious propensities, and hold out every possible inducement to reformation and good conduct.

A bill was brought in by Mr. Hale, and read a first time, to establish a college at Lennoxville, to be called the Diocesan College of the Protestant Episcopal Diocese of Quebec. The bill was passed upon a petition from the Lord Bishop of Montreal which had gone before a select committee.

Mr. Aylwin made two objections to the motion—one to the words, "Diocese of Quebec," being used; the other to granting a poor institution of the kind, whose