

Atlantic Cable Company, which was incorporated in France; and yet we are told that a company incorporated by one of our own Local Legislatures has no legal existence. I can see no technical or constitutional objection to the Bill. Whatever objection can be raised against the Bill it will be time enough to raise it when it comes before the Committee, and I think it should now receive its second reading.

Mr. BLAKE. I do not think there is anything in the point of order and the other objections such as should prevent the second reading of the Bill. As the hon. gentleman says, it is quite in our power to recognize the existence of any corporate entity, no matter by what legislative power that corporate entity may have been created, and to give it powers which we might give to any corporation incorporated by ourselves, although that is not a principle which I should desire to see very extensively applied. The question of powers may very well be left to the Committee, but I would say that if this Bill be not for the purpose of empowering the Company to lend money in other Provinces, I cannot see what its object is. If it is merely to give the Crédit Foncier the power of purchasing the bonds and other securities of the Dominion, I very much doubt whether the Local Legislature could not give that power, if they have not got it already. With reference to the 7th and 8th clauses, I hope the Committee will see that they conform to the spirit of the principle we recognized last year, so that the borrower will know what he is paying in principal and interest.

Mr. GIROUARD. We intend to comply with that law.

Mr. BLAKE. Then the 12th and 13th clauses seem to me to be very singular clauses. They give this Company a private criminal law of its own. They declare that mortgaging without legal title, and falsely declaring that mortgaged land is free from encumbrances, on the part of a borrower, shall be misdemeanors, and shall render him liable to fine and imprisonment. These clauses should either be made general in their application or they should not exist for the benefit of this single corporation.

Mr. VALLÉE. It is stated in the Act of incorporation what are the powers of the Crédit Foncier Franco-Canadien. I therefore maintain that that Act should be annexed to the Bill now before the House, as letters patent, in order that we should be able to grant any privileges to the Company. Such has ever been the principle both in England and here, and it is carried out to prevent the passing of a Bill giving to a company powers more extended than those contained in the letters-patent, or in its Act of incorporation. The Legislature of the Province of Quebec has granted to the Company the right of existence in the Province of Quebec for 50 years, on condition that it should confine its operations to that Province, and now we are asked to grant to it the right of extending its operations throughout the other Provinces of the Confederation. I pretend that there is a serious danger in granting such a power; it would be tantamount to setting aside our provincial authority; those desirous of obtaining special privileges would go to the Provincial Legislature and say: "Incorporate us, as we wish to do so-and-so." Therefore, the Legislature would incorporate such a company, and would grant to it privileges, denying similar ones to any other corporation, for a term of 50 years; these privileges once secured, the company would appear before the Federal Parliament and ask for an extension of powers. The hon. member for Jacques Cartier has said: "It is because these powers are too limited that we have come to ask you to extend them." Well, then, if your powers are too limited, go back to the Legislature of the Province of Quebec, where you were born; go back to the place whence you obtained your powers; go whither you have your existence and ask of that Legislature to

Mr. GIROUARD (Jacques Cartier).

grant you the authority to go further; it will grant you the permission of extending your operations elsewhere." But if the Federal Government grants such a privilege to this Company, what will take place? The Crédit Foncier will extend its operations to all the other Provinces, reserving to itself the Province of Quebec as a basis for future operations; it will make use of the funds of the freeholders of the Province of Quebec to speculate in the other Provinces. We are told that it is nothing new that companies should come and ask for an extension of powers. But there is no precedent for the present case, and I defy the hon. member for Jacques Cartier to instance a similar case. The hon. member has mentioned that of the Trans-Atlantic Cable Company. But the present case is that of a company incorporated by the Provincial Legislature, which has defined its powers, its privileges, and has said: "We have granted you an Act of incorporation so that you should invest your money in the Province of Quebec exclusively, and on those terms do we allow you to exist with the powers which we now grant you." Well, then, the Province of Quebec would be deprived of the advantages to be derived from a company incorporated by itself, should the Federal Parliament grant to it the right of existence in the whole Dominion of Canada. I repeat that is a serious danger, that this House has no right to interfere and to extend powers granted by a Local Legislature, when once they have been defined. I maintain that we cannot entertain this Bill; it is unconstitutional and opposed to the idea which has ever presided at law-making. I pretend that this private Company, which, on the strength of a Private Bill, asks for an extension of powers, should follow the rule, which consists in annexing the Bill itself to the new one asked for. It is, perhaps, the first time that the question arises, but precedents have not always existed. I think it is a measure of security for the future, and to that, Mr. Speaker, do I call your particular attention.

Mr. GIROUARD. I would like to correct a little error committed by the hon. member when he stated that the Crédit Foncier had the privilege of lending money during 50 years in the Province of Quebec. The only privilege it has is to have a Committee or Board of Directors at Paris. The Quebec Legislature bound itself not to incorporate another Company or Crédit Foncier, lending money on the same principle, which should have an office in Paris, but the Quebec Legislature may incorporate as many Crédit Fonciers as it likes, provided that these Crédit Fonciers or these companies have offices outside of Paris, in London or elsewhere.

Mr. VALLÉE. The hon. member for Jacques Cartier contradicts me on a certain point, and says I have made a mistake. The following is the clause upon which I base my assertion:—

"A privilege of 50 years, dating from the day of its final constitution, is granted to the Company. The said privilege consists in the fact that the Government of the Province binds itself not to authorize within its territory the formation of any other Crédit Foncier in any way represented in France."

Consequently, no other company of its kind may establish itself in Canada.

Mr. SPEAKER. The objections raised by the hon. member for Portneuf are as follows: First, that this House has no jurisdiction, because the Bill before it affects civil rights; 2nd, that it gives larger powers than those granted by the Legislature of the Province of Quebec; 3rd, that the Bill ought to be accompanied by a copy of the Statute of the Province of Quebec, granted for the incorporation of the Company, which is in effect equivalent to letters-patent, which, according to the Standing Orders, must accompany the Bill. With the first two points I have nothing to do. Neither the question of jurisdiction, nor the other