

Farrow,
Ferguson,
Fitzsimmons,
Fulton,
Gault,
Gigault,
Grandbois,
Guillet,
Hackett,

McLelan,
McLennan,
McQuade,
McRory,
Maason,
Massue,
Merner,
Mongenaix,
Montplaisir,

Tellier,
Tyrwhitt,
Vain,
Vallée,
Vanasse,
Wallace (Norfolk),
Wallace (York),
White (Cardwell),
White (Hastings).—78.

NAVS:

Messieurs

Anglin,
Bécharé,
Bergeron,
Blake,
Bourassa,
Brown,
Burpee (Sunbury),
Cameron (Huron),
Cartwright,
Casey,
Casgrain,
Charlton,
Coupal,
Crouter,
Currier,
Dumont,
Fiset,

Fleming,
Flynn,
Geffrion,
Gillies,
Gillmor,
Girouard (Jac. Cartier),
Gunn,
Guthrie,
Haddow,
Holton,
Huntington,
Irvine,
King,
McDonald (Vic., N. S.),
Macdonell (Lanark),
McDougall,
McIsaac,
Malouin,
Mills,
Paterson (Brant),
Pickard,
Rinfret,
Robertson (Shelburne),
Rogers,
Ross (Middlesex),
Rymal,
Scriver,
Skinner,
Sutherland,
Thompson,
Trow,
Weldon,
Wheler,
White (Renfrew).—51.

PAWNBROKERS ACT AMENDMENT BILL.

Mr. ORTON moved the second reading of Bill (No. 24) to amend the Act respecting pawnbrokers.

Sir RICHARD J. CARTWRIGHT. I imagine this is a Bill outside our jurisdiction.

Mr. ORTON. I will explain the object of the Bill. The Pawnbrokers Act now in force is an old Act which existed, I believe, previous to Confederation, and there is an Act in force in every Province. But the regulations with respect to pawnbrokers cannot be enforced, simply because it is *ultra vires* for a Local Legislature to pass any penal clause. It is simply to supply a penal clause so as to enforce the Acts in operation in the various Provinces that the Bill is drawn, and it was prepared at the suggestion of the County Crown Attorney at York. In towns and cities very great cruelties are perpetrated by pawnbrokers charging 120, and even higher, per cent. for loans of money on chattels and goods of the poorest class of the community, and the object of the Bill is simply to enforce the regulations in regard to pawnbrokers.

Mr. BLAKE. I trust the hon. gentlemen who are responsible for the legislation of the House will look at this Bill. It seems to be, in principle, wholly objectionable. It may be, it is quite possible, that the law with respect to pawnbroking may require amendment, and stricter provisions may be necessary with respect to that particular kind of trade; but what the hon. gentleman proposes by the Bill is this: that any pawnbroker who takes more than by the local law he is authorized to take, shall, in respect to which violation no other punishment is provided, be held to be guilty of a misdemeanor. The hon. gentleman no doubt aware that it is competent for each Province to pass a law which will prescribe the punishment of imprisonment for a breach of this law, if it thinks fit. If a provincial law is thought by the Provincial Legislature to be of such a character that its provisions should be enforced by imprisonment for their breach, it has full authority to so enforce them; but this proposal, which, so far as my recollection goes, is entirely novel, is to create a breach of a provincial law, which breach the Provincial Legislature has not said shall not be punished by imprisonment, to be a misdemeanor. Surely it is rather wholesale legislation to ask this Parliament to declare that whatever laws about pawnbroking Local Legislatures may from time to time make, shall be, if no other penalty is prescribed, punishable by imprisonment. I think if the local law is not ob-

served and if its non-observance should be punished by imprisonment, the Local Legislature, having full authority, might make an application to this Parliament, and it will be a mistake to take up civil rights and civil questions which are wholly within the competency of Local Legislatures and make breaches of provincial laws on those subjects criminal offences under some very extraordinary state of facts which does not appear to exist here.

Sir HECTOR LANGEVIN. I agree with the hon. gentleman who has just spoken on this point, that in matters which are within the jurisdiction of the Local Legislature we should not interfere, even should we have power to do so, except in very rare cases. I do not think the hon. member for Centre Wellington (Mr. Orton) has stated that Local Legislatures had not a right to interfere in matters of this kind. On the contrary, I think the contents of the Bill show that the mover admits that Local Legislatures have a right to interfere in this matter, so much so that the object of the Bill is to declare that the violation of Provincial Acts on this subject shall be punishable in the manner prescribed by the Bill. I think the hon. gentleman would do well not to press the Bill, but withdraw it, and give us time to report the matter to the Minister of Justice, in order that we may, the next time the Bill comes up, tell him exactly whether the hon. the Minister of Justice agrees with the views I have expressed. I am not here to give advice legally to the House, but I express the opinion that this is a matter in which this Parliament should not interfere, but leave it to the Local Legislatures. The fact is, if there is a cry in the country about anything, it is about interference on the part of the Central Legislature with the jurisdiction of Local Legislatures. Of course we avoid these interferences, but they will happen sometimes, and we should try to avoid them as much as possible.

Mr. McCALLUM moved the adjournment of the Debate.
Motion agreed to.

DRAWBACKS.

House resumed the adjourned debate on the proposed motion of Mr. Paterson (South Brant) for a return of all claims presented for drawbacks on goods manufactured for export since January 22nd, 1881, &c.

Mr. CHARLTON said he would reserve the remarks he intended to make on this motion until the Budget came up again for discussion, as the same questions were treated in both.

Motion agreed to.

INTERCOLONIAL RAILWAY EMPLOYEES.

Mr. ANGLIN, in moving for a return of the names of all persons employed on the Intercolonial Railway whose salaries have been reduced or increased in the year ending December 31st, 1879, the year ending December 31st, 1880, and the year ending December 31st, 1881; the amount of such reduction or increase, and the salaries or wages now paid; giving also, the names and salaries of all persons displaced or removed, or who have resigned, and of all persons who have been employed during the same three years, said: I observe that in the railway report of this year the amount charged for station expenses is very much larger than in former years. I presume that the hon. Minister of Railways has found it necessary in many cases to increase the salaries of the persons employed in the various railway stations, and I presume he has found it necessary to appoint additional employes. The hon. Minister will have no objection to the motion.

Sir CHARLES TUPPER. I have no objection to this motion passing if the mover will introduce the words