

us which asks this favor of us; consequently this Bill must be considered as letters-patent, and it is the general rule that, in order that such letters-patent be confirmed, it is necessary that they should be contained in the Bill itself. I submit, therefore, that the present Bill should have contained the Act of incorporation of the Company; that the Act incorporating the Company in the Provincial Statutes of the Province of Quebec should have been included in the Bill submitted to us, in order that by the Act we should pass, we might extend and confirm such powers if we had the right so to do. I will now quote a couple of precedents in confirmation of what I maintain. I find the following in Ellis:—

“That when any Bill shall be brought into this House for confirming of letters-patent, there be a true copy of such letters-patent annexed to the Bill.”

I find the same opinion expressed in May, page 681, where it is said that the promoter of a Bill like the present one was obliged to withdraw it because the letters-patent had not been annexed to the Bill.

Mr. LANGEVIN. Would the hon. gentleman be so kind as to read that passage of May?

Mr. VALLÉE:

“The Committee on a Bill for confirming letters-patent are to see, in compliance with the standing orders, that there be a true copy of the letters-patent annexed to the Bill.” This copy should be attached to the Bill when first brought into the House; and if its omission were noticed in the House, at any time before the Bill was in Committee, the Bill might be ordered to be withdrawn.”

For the above reasons, do I call for your decision, Mr. Speaker. In the first place, we have not, according to Civil law, the right of passing this Bill; secondly, we have no right to pass it, because it is not recognized by this House; because the Company is incorporated under a Provincial Statute, that its powers are defined by that Legislature, and that we have no right to interfere with the latter's powers; thirdly, because the Company asks for powers more extensive than those it derives from the Act creating it; fourthly, because its Act of incorporation and its letters-patent should have been annexed to the Private Bill. For these reasons do I ask for your decision, and that the Bill should be declared out of order and withdrawn.

Mr. LANGEVIN. The hon. gentleman, who has just spoken, objects that this Bill cannot be brought before this Parliament without having letters-patent annexed to the Bill; and, secondly, that this Bill is not in order, because it affects civil rights, and ought, therefore, to be declared out of order. As to the letters-patent, I think the hon. gentleman is quite wrong. This *Crédit Foncier* Company was not incorporated by letters-patent, but by an Act of the Legislature of Quebec. Those Acts are public Acts, they are as well known as our own Acts, and their publication in the *Official Gazette*, and in the Statutes of that Province, is a sufficient notice to the whole world of the existence of that Company. The reason why petitioners should be called upon to annex letters-patent to every petition for a Bill of this kind, is that these letters-patent may not be known as an Act of Parliament, and therefore it is important that those who may have to sue the company may know exactly what are its powers and by what instrument it was constituted. In the present case it is not so. This is an Act of the Legislature of Quebec, and being a public Act there is no necessity to annex letters-patent to the Bill. My hon. friend goes further, and says that this Bill affects civil rights. It may be that certain provisions of this Bill affect civil rights, but that is not the basis of the Bill. The whole Bill is for quite another purpose, it is in fact “An Act to enlarge and extend the powers of the *Crédit Foncier Franco-Canadien*.” The preamble reads:

“Whereas, the *Crédit Foncier Franco-Canadien*, incorporated by the Statute of the Province of Quebec, passed in the Legislature of that

Province, held in the 43rd and 44th year of Her Majesty's reign, chapter 80, intituled ‘An Act to incorporate the *Crédit Foncier Franco-Canadien*,’ has prayed for an extension and enlargement of its powers so as to allow it to transact business throughout the Dominion, and it is expedient to grant the prayer of its petition.”

That is the object of the Bill, to allow this Company to transact business throughout the Dominion, and not to affect civil rights. If there are provisions in that Bill that may affect civil rights, when the Bill comes before the Banking Committee these provisions may be modified or expunged. The “*Crédit Foncier Franco-Canadien*” is incorporated by an Act of the Legislature of the Province of Quebec. Now, this Act of the Legislature of the Province of Quebec is published in the *Quebec Official Gazette*; it is published in the Statutes of the Province of Quebec, and that is, in the eyes of the law, a sufficient notice for everybody of the existence of this *Crédit Foncier* Company. That it is the basis of its existence, and it is so much so that it only needs to be stated that the Statute exists, and unless it can be shown that there has been falsification, that the volume is not a volume of the Statutes, this volume is evidence of the existence of the Company. It is very different from what it would be if we had letters-patent, because letters-patent would not have the same publicity as the Act of the Legislature of the Province of Quebec, and we would apply the ordinary rule that requires letters-patent to be annexed. As to the second point, namely, civil rights, I maintain that the object of the Act is not to affect them. The object of this Bill is merely to extend the powers of the “*Crédit Foncier Franco-Canadien*,” as incorporated by the Legislature of the Province of Quebec, to the whole Dominion of Canada. Well, if in this Bill there be anything affecting civil rights, the Banking Committee will strike out such provisions and then the Bill will remain without them. If the Banking Committee do not strike out these provisions affecting civil rights, nothing will prevent my hon. friend, the member for Portneuf, from moving an amendment to have such part of the Bill struck out. But, at all events, I do not think that the Bill should be thrown out on account of the remark made by the hon. member.

Mr. GIROUARD (Jacques Cartier). After the remarks made by the Minister of Public Works, almost nothing is left for me to say. The *Crédit Foncier Canadien* was incorporated by the Quebec Legislature last year, with certain powers limited to that Province. The Company now ask that its powers should be extended to the whole Dominion, but not with regard to property or civil rights, which, of course, come within the exclusive jurisdiction of the Local Legislatures. There is a great deal of force in the objection raised by the hon. member for Portneuf (Mr. Vallée). It may be that, within the meaning of the British North America Act, lending money on the bonds of municipal or school corporations, or on real estate, is a civil right; but, because that clause is objectionable, that is no reason why the whole Bill should be rejected. The principal clause in the Bill is that empowering the Company to lend money on bonds, debentures and other securities of the Dominion. It is true that investment companies have in the past been incorporated by this Parliament with power to lend money on real estate, and the question was never raised as to the power of this Parliament to grant that privilege. If the Committee and the House come to the conclusion that we have the power, then this charter is all right; but if they decide that we have not the power, then the *Crédit Foncier*, in order to lend money in any Province, will be obliged to apply to the Local Legislature of that Province. The Company have a Bill before the Ontario Legislature at present, authorizing them to lend money on real estate in that Province. As to the objection that the *Crédit Foncier Canadien* has no legal existence in this House, I find that a Statute of 1880, passed by this Parliament, gave certain powers to the French