

was imposed upon. There was no security for purchasers; they might be deprived, when they least expected it, of the property they had acquired. The capitalist had no means of knowing the affairs of those to whom he was under the necessity of trusting his all. An accident, a bad crop, might expose the farmer to want, and to what quarter was he to look for relief? Who would lend him money on a mortgage? If compelled by necessity to sell his farm, it must be disposed of for much less than its value because the dread of clandestine mortgages would prevent the competition of purchasers. If sold by Sheriff's sale, every day's experience shewed how great the sacrifice would be. It was, he said, also proper to mention the immense expence incurred in Courts of Justice by the concurrence of different claims founded on mortgages—expences in some instances so considerable as to absorb the sums due to the more recent creditors, and which might otherwise have been paid. The expression might appear inconsistent, but it could, in truth, be said that under such a system, real security was no security at all. After some other observations to the same purport, the Honorable Member said, that he did not conceive that there was any exaggeration in what he had stated. If then vices did exist, destructive of the value of property in the Province, having a paralyzing effect upon its commerce and agriculture, was it not the bounden duty of the Legislature to put a stop to them? The next question would be, how was this to be done? What was the remedy? The answer was a plain one—the present abuses arose from clandestinity—the remedy was, therefore, to be found in publicity. When he said publicity, gentlemen should not be alarmed. He did not mean that the private transactions of individuals should be published to the world, or published to any one unnecessarily; but he meant that such private transactions should, upon the principles of good faith, be open to the inspection of the merchant, making an advance of his goods of the capitalist, lending his money, of the purchaser investing the gains of his industry; in a word, to the inspection of every man contracting with another.

Mr. Viger, after complimenting the Honourable member who had preceded him on the talents which he had displayed in picturing the abuses of which he complained, expressed himself apprehensive that the Honourable gentleman had not sufficiently considered the situation of the Province. He said, the system of laws in England, Scotland, Ireland, and the United States was very different from that which prevailed here. Register Offices might be necessary there, but here no property could be transferred without the instrumentality of a public officer and public possession. He mentioned a number of tract Mortgages which it would be impossible to register. He added, that to make the proposed measure proper, it would be necessary that it should be accompanied with the abolishing of the *contrainte par corps* and other laws which now bear so hard on the debtor; and that if that could be accomplished, he would be happy to see the measure succeed. After a few additional observations, the Committee rose, and the bill was referred to a special committee.

On the 13th Mr. Papineau submitted two propositions to the house relative to the Lachine Canal.—1. That it was necessary to establish tolls on such part of the Canal as might be opened.—2. That the commissioners should be empowered to raise by loan 20,000*l.* to complete the work. He stated, 38,000*l.* had already been spent, seven of which had been borrowed by the Committee, to carry on the work; the 12,000*l.* appropriated last year not having been paid. Mr. Neilson said, that when the gentlemen who supported the measure of taking the work out of the hands of a private company, to be done at the public expence, the vote of the House was obtained upon an assurance that the sum then demanded would be sufficient; but notwithstanding they had obtained last year an additional vote of 12,000*l.* and now they asked an additional 20,000*l.* He wished to know, when this was to end, what security had this house that next year a further sum would be required. He objected to the mode of proceeding. On some farther remarks and observations from several members, the question was suffered to be over, till the state of the Province was better known.

In the 14th Mr. Papineau moved for leave to bring in a bill relative to Tread Mills. He said that the Legislature of this Province passed in its last Session an act authorizing the erection of Tread Mills. By the existing laws the courts were authorized to sentence certain description of offenders to hard labour in the Houses of Correction; but without some further Legislative enactment, this hard labour could not be taken to apply to Tread Mills. It was his intention in some degree to substitute the Tread Mill for the punishment of whipping and the pillory which answered no good purpose.