DOMINION PARLIAMENT.

FIFTH SESSION---THIRD PARLIAMENT.

THURSDAY, Feb. 28.

In reply to Mr. Higinbotham,

Mr. MACKENZIE said representations had been made to the Imperial Government respecting the treatment of Canadian cattle on their arrival in England. As they were free from disease, it was not improbable they would be treated in an exceptional manner.

Mr. KIRKPATRICK, speaking to his motion for missing reports respecting the location of the Canadian Pacific railway, west of the Red River, said that clearly a case had been made out for further consideration of the subject by the Minister of Public Works.

Mr. MACKENZIE made a few observations.

Dr. TUPPER called the Premier's attention to the fact that he had no right to speak, having spoken before, and that if the Opposition had been as discourteous as himself, they might have prevented him going on.

Mr. MASSON asked if an instrumental survey had been made of the southern route. He would ask the Premier's special attention to the question, the Premier at the time being engaged in conversation with Mr. Holton.

Mr. MACKENZIE rose to speak, but knew but little of the question which had been put to him.

Mr. MASSON complained and asserted that he was entitled to more courtesy from the leader of the House.

Mr. MACKENZIE, on Mr. Masson putting his question again, said a partial instrumental survey had been made.

The motion was carried.

Mr. DYMOND moved the second reading of the bill to provide that persons charged with common assault shall be competent as witnesses in their own behalf. The bill which he introduced last session applied to all criminal cases; this bill he confined to cases of common assault.

Mr. PALMER said he was not in favour of the principle of the bill, but he thought the subject should be dealt with by the Government instead of by a private member. He objected to members introducing little bills on the general criminal law of the country.

Mr. BABY said the principle of the bill was quite unknown in our criminal law. He did not see how it could be carried out. There were many gradations of assault. The judge could charge the jury to bring in a verdict which might be common assault, or assault with intent to commit murder. But the character of the assault could not be known until all the evidence was taken, and it would, therefore, be impossible to carry out the law.

Mr. IRVING argued against the bill at some length, and asked the mover to withdraw it.

Mr. MOUSSEAU opposed the bill, alleging that if passed, it would be a premium on perjury.

Mr. KIRKPATRICK congratulated the member for North York on the conservative reaction which had taken place in his mind since last session. He could not satisfy himself that the bill would be an improvement.

Mr. CAMERON (North Victoria) was not prepared to give the same opposition to this restricted bill that he did to the bill introduced by the member for North York last session. It might be allowed to go to a special committee, where it could be considered if the principle of the bill ought not to be extended to other classes of cases. The bill would have to be materially altered however, and it would be necessary, he thought, to strike out the third clause altogether.

Mr. LAFLAMME saw no objection to a private member taking up amendments to criminal law. The bill was a moderate one, confined to a single class of cases, and ought, he thought, to be allowed to pass, though perhaps requiring to be a good deal amended in Committee.

Mr. DYMOND having made some remarks in reply, the bill was read a second time, and referred to a special committee.

Mr. BUNSTER moved his motion for an address to her Majesty praying to amend the British North America Act so as to have a session of the Canadian Parliament only once in every two years.

After some remarks from the mover,

THE SPEAKER declared the resolution "carried—in the negative."

Mr. LANGEVIN moved for a return respecting six lower tenders in September or October, 1873, for sections 2, 3, 5, 6, 7, 12, 13, and 14 of the New Welland canal. Common report stated that the lowest tenders had been passed over by the Government because, in many cases, the tenderers were Conservatives. The return would show whether this was the case or not. He knew the contracts had not been let to the lowest tenderers. He defended his own action as Minister of Public Works in opening tenders.

Mr. MACKENZIE said that to his knowledge not a single political opponent had been passed over as a contractor whose tender was the lowest. He believed the new system of letting contracts was a much better one than the old. He would bring the papers down as soon as he could.

Dr. TUPPER remarked that the Premier could not controvert the statement made by the mover of the motion that the contracts referred to had been let at an increased price by the present Government. He believed the change as to the mode of letting contracts introduced by the Premier was calculated to limit competition and throw the contracts into the hands of the friends of the Government of the day. Elsewhere the Minister of Public Works had declared that after having used the services of a large detective staff, he had not discovered a single fact which would justify him in saying that the late Government had let a single contract corruptly. He referred to the Palen and Goderich Harbour jobs in illustration of the way in which the present Government let contracts.

Mr. MACKENZIE cited contricts let by the old Government not to the lowest tenderers. Were these contracts corrupt? He defended the Palen and Goderich jobs.

Mr. BLAKE said the Opposition were attacking the system of Parliamentary Government in declaring the partizanship of the committees of the House. He spoke at some length in reference to contracts, asserting that the Premier's position was impregnable.

Mr. CAMERON (North Victoria) pointed out how absurd the statements of the Premier and Mr. Page, his engineer, were that they had taken great pains to find out who Mr. Jno. S. Tolton, the lowest tenderer for the Goderich Harbour contract was, when at the very time he was a contractor under the Department for the prosecution of work at Meaford. He spoke at some length at the impossibility of obtaining a just verdict from partizan Parliamentary Committees.

The debate was continued by Messrs. Young, Robinson, Dymond, Domville, McCarthy, and Rymal.

Mr. ARCHIBALD moved the adjournment of the debate.

The House adjourned at 1.30 a. m.

FRIDAY, March 1.

Mr. WALLACE (Norfolk), resumed the debate on the motion to go into Committee of Supply. Referring to the figures of the hon. member for Brant, he pointed out that figures could be made to show almost anything. That gentleman had stated that the Finance Minister had managed the finances of the country better than any Finance Minister before. But he (Mr. Patterson) did not point out wherein he (Mr. Cartwright) differed from other Finance Ministers. He raised his supplies in the same way as other Finance Ministers, but he had come down to the chronic deficit, and he (Mr. Wallace) considered it was not creditable for the Finance Minister to have to come before the country with a deficit, and in that he was glad to say he (Mr. Cartwright) differed from other Finance Ministers. He considered that it was unfair to make comparisons between years which had no relations to the same circumstances. No allowance had been made between the obligations of a Government who had to deal with a certain number of Provinces, and another which had to deal with the increased obligation of other Provinces. Coming to the question of Protection, he stated that while in a certain market Canadian oats had been put down at 67 to 68c in bushel, they had been brought from America and laid down at from 43 to 44c a bushel. He advocated a protective policy in the interests of the manufacturing interests of the country. Was it fair or honourable to say, in face of the Washington award, that the Government of the day had given away the fisheries belonging to Canada. As to reciprocity, upon examining its period of figures, he found it had no relation to the periods of disaster and reciprocity. Then as to the question of immigration, the hon. gentleman opposite had stated the Opposition were against immigration, and he for one said it was at the present time wrong to encourage the special kind of immigration which had been advocated. Coming to the question of Protection, he considered that as the British workmen were taxed for the army and navy to protect Canadian interests, they should give precedence to British interests in regard to the relations of commerce. Coming to the charge of villification, he considered too much of that kind of thing had gone on, and he for one would be glad to bring it to an end. But there was no villification in calling attention to such matters as the Goderich harbour and the Fort Frances contracts. Relative to the prophecies of the Finance Minister, he asked why that gentleman did not, when he saw the storm coming, shorten sail and trim the Ship of the State, and keep her from the breakers by reducing the expenditures. He could have done it then, for he had reduced the civil expenditure since 1875 from $833,000 to $812,000 in 1877. When in Opposition, Reformers said the existing Government was an extravagant Government, according to their own shewing, either they were dishonest in 1872-3 or they are more extravagant than their predecessors in office. (Hear, hear.) They had reduced the ordinary expenditure, but how? By stopping the militia expenditure, while at the same time they had increased the expenditure upon the item of the Administration of Justice. There had been a saving in the Department of Militia and Defence, but that had been a saving in the drilling of the men, which interfered with the efficiency of the force. Immigration expenditures had been largely increased. In Marine Hospitals there might be a great saving. The increase of the superannuation expenses was very much to be deprecated. He was opposed to the system of pensioners, his opinion being that the officers of the civil service should be paid sufficiently to enable them to make provision for themselves when unfit to do work. They were not subject to the fluctuation of trade as others were. They know what they would get always, and they should be taught to provide for themselves in their old age as other people had to do. (Hear, hear.) There had been some necessary increases, and while contending that the late Government should not be blamed for those increases, he remarked that the present Government should have the fairness to say that the increases in the expenditure under that Government were necessary and not extravagant. He then referred to the absurdity of the Finance Minister's claim to credit for having made a better loan for Canada than Natal could make. Natal, he pointed out, was a little colony, in which there were only 50,000 Europeans with an income of $250,000 or $260,000, while Canada was a country of 4,000,000, with immense resources. The comparison between Canada and Natal was ridiculous. The Finance Minister had said that a Government could no more legislate wealth than it could legislate honesty. He (Mr. Wallace) knew that; but at the same time it was not to be forgotten that a Government could legislate so as to stimulate industry and produce wealth. (Hear, hear). He was opposed to the negotiation of another loan, and pointed out that the resources of the country, if properly utilized, were such that we could construct such a great work as the Pacific Railway without going into debt. We had 36,000,000 acres of land occupied, which were worth $20,000,000, at least. We also had property worth $1,000,000,000, according to the last census. Then we had our vast water territory.

Mr. THOM said the hon. gentleman had stated that it was cruelty to bring out immigrants, and that being the case, what could be the use of the waste lands? Mr. WALLACE said he was glad the question had been asked. What he had said was that it was cruelty to bring out emigrants when there was nothing for them to do—(hear, hear,)—and when there were so many starving in our towns and villages. Returning to the subject of the building of the Canadian Pacific Railway, he expressed his opinion that the road could be built out of our own resources. The manner in which he proposed the money should be raised was by borrowing it from Canadians by issuing a national currency, using it on the transactions of the country and making it a circulating medium. There was no doubt this country wanted another circulating medium from the fact that on the 31st December there was only $19,000,000 in circulating medium, the balance of the business being transacted on credit. He was satisfied that by giving encouragement to public works, such as the Canadian Pacific railway, the Government should consent to the further issue of paper money. He would limit the construction of public works up to such time as the indebtedness so created had been covered. He held that they could cover the cost of this line by the issue of Dominion scrip, which would be a great attraction to young capitalists. The extravagant rate of interest which the banks were charging was the cause of the present depression of trade. He would propose that Treasury notes, payable in twenty years, should be issued in order to encourage trade. He would propose that these should be issued in one, two, ten, twenty, and one thousand dollar bills. He would not allow any private bank to issue currency, the issuing of which was the proper business of the Government. They had to rely upon the ordinary resources of the country, and they had no resources in the way of gold except in Nova Scotia. If currency was abundant, prices would rise, if it were not so prices would go down. If the people had their money invested in the public works of the Dominion, they would take a greater interest in the affairs of the Dominion.

Mr. OLIVER said the scheme which had been proposed on the subject of public credit was one which the Finance Minister alone could properly deal with. Referring to the Kaministiquia land purchase, he said that the land was well worth $6•0 an acre, and there was a company all ready to buy the land back from the Government at the same price that was given for it. As to the statement of the hon. member for South Norfolk, that it was cruel to bring men out here as immigrants, because there was nothing for them to do, he might say that two contractors on the Pacific railway, who were in his town, were prepared to pay two dollars a day for men that were able to work.

Dr. OSTROM—Are they prepared to transport the men to the scene of their work? (Hear, hear.)

Mr. OLIVER was not prepared to say. He proceeded to argue that the consumer paid the duty, and to say that he admitted depression existed to a considerable extent.

AN HON. MEMBER—To a great extent.

Mr. OLIVER stated that the depression was to be found only in the towns and villages, that there were signs of returning prosperity, that building operations were being carried on just now to a greater extent than they had been carried on for some time, and that there was more capital in the banks than there had been for years. Mr. Howland at the Manufacturers' Convention had said that there was a turn in the depression of trade among the farmers, and he considered the system of altering the tariff of the country was a very great injury to credit. It was alleged that the manufacturers required more protection, but what evidence was there of that? All the evidence before them went to show that the manufacturing interests were sufficiently prosperous. It must be taken into consideration that the Board of Trade was not the same as it was a few years ago, considering that Boards of Trade had sprung up during the last few years in all parts of the Dominion. The Hamilton *Evening Times*, among other evidences, had shown that the manufacturing business of Hamilton was in a flourishing state. He then quoted from the census of 1870 to show that there had been an increased prosperity in the manufacturing interests. One factory in the County of Oxford, with which he was connected, paid last year a 30 per cent. dividend, and this year twenty-eight per cent. Labour was as cheap upon this side as in the United States, and they could, therefore, require no protection on that head. As everybody knows, it was always the case when people made money that they wanted to make more, and that was the reason the manufacturers wanted protection. Any one who followed the manufacturers into their homes and saw their surroundings must be convinced that they were making money and that they did not want protection. If Canada was to be kept for the Canadians, it was something like Robinson Crusoe insisting upon having his island all to himself. He was of opinion that the consumer had to pay the duties of a protective nature, and he gave instances of wheat and oat mills in Canada, which at present could not be kept running unless they could resort to the Western States for their supplies. He mentioned that the effect of protection upon the cattle trade and tea trade would be to create monopolies to the benefit of some five or six merchants in the City of Montreal. He quoted figures from the English trade and navigation returns to show that during periods of Free Trade the general trade of the country had improved, while during times of protection the increase had not been so marked. He then defended the expenditure of the Government and claimed for it economy, and challenged the Opposition to formulate their charges.

Mr. MACDONALD (Toronto) said the hon. member for South Norfolk had made use of paradoxical expressions with regard to the policy of the Government. He had in one breath recommended the use of machinery, and in another had spoken of the necessities of the labouring classes. He had talked of the crisis of bringing people out to Canada, but it was impossible to deny that it was one of the best fields for immigrants upon the face of the earth. Unprincipal persons, as they usually did, took advantage of the discussion upon the question of depression, and the result had been disastrous to the country. He contended that in four years the country had imported ninety-one millions over and above its actual needs, and that was at the root of the present depression. He calculated that the interest account upon the over-importation amounted in the four years he had named to not less than fourteen millions of dollars. While in 1870, the excess of imports over exports amounted only to $1,240,000, in 1875 the excess amounted to 45,000,000. There was but one exception to the excess, that was British Columbia, which in 1875 had an excess of exports over imports of a quarter of a million, while in 1877 the exports and imports were balanced. The debt of $105,000,000 had left upon every man, woman, and child, a debt of $26. What was the cause of the change in trading, of leading men to make such haste to get rich? During the period of inflation seventeen millions of currency were thrown upon the country, and this had encouraged speculation to a wild and visionary extent. In the same years of inflation, the discounts had risen enormously, for while in 1869-70 the discounts were $56,000,000, in 1874-75 they had risen to $123,000,000, which figures in themselves revealed something like madness on the part of the trading classes. Who was to blame? He agreed with the hon. member for South Norfolk that the banks were in a great measure blameable. He blamed the English merchant and others who gave long credits. Did he blame the Government?

AN HON. MEMBER.—No, you will not.

Mr. MACDONALD said he had stayed in this House for no good purpose if he had done so with the view to removing from the Government any blame which they deserved. But he pointed out that the banks and the merchants had had to bear their share of the loss. He just wished now to ask the question, would Protection, in the sense in which it is advocated, save the country from the depression? He claimed not, for instead of the country suffering from over-importation, it would be suffering from over-production, and Canadians alone would suffer, while the merchants of England and other countries would be free. He showed that the trade with Great Britain had, as compared with our trade with the United States decreased, and the imports from the United States would continue to increase. He had pointed out in his speech two years ago that unless we let the men, and land if sufficient barriers were not put up the imports from the United States, which were $50,000,000 then, would come to $100,000,000 in eight years. The statistics of one year which had passed had been brought down, and they showed that the increase had been just in the proportion he had foreshadowed. As to protection to manufacturers, he said there was some one else besides the manufacturers to be considered. The consumers were to be looked to, and not only that but the question of discrimination against the Mother Country had to be considered too. The protection the revenue gives to-day is abundant Protection for any man who has brains, energy, and character. Respecting the deduction the hon. member for Cumberland had made from his circular, he said that there was another paragraph which had been omitted, and that was one in which he said, "Until Canadian manufacturers, in certain lines at least, learn to exercise judgment in their production, so that they can be kept by the merchant without loss, it would be wisdom not to say a word about Protection." That was the view he still held. What was wanted now was not so much Protection as men of character, men who would go into business with a view to follow a successful business career, and not with the intention to benefit themselves, irrespective of the losses which others might sustain. Regarding the deficit, the Finance Minister had expressed the hope that the improvement in trade would result in the deficit being met. He did not think it would—(hear, hear)—and the reason was this, that the value of goods was less to-day than it was many years ago. He thought the policy followed by the Government had been a patriotic one, for he held that it was their duty to raise a revenue without allowing the taxes to press too heavily on the consumer. (Applause.)

Mr. HAGGART, referring to the remarks of a previous speaker (Mr. Oliver), pointed out that that gentleman had stated that the land at Kaministiquia purchased by the Government was well worth the money, considering the prospects of that part of the country. The fact was that the lots, which were purchased originally at from $4 to $8, had been sold to the Government for over $100 each. The excuse that the fact that the Government was about to build the terminus at Kaministiquia increased the value of the land was not of any weight, because the Public Works Act required that all lands purchased by the Government should be valued, not at their prospective value, but at their actual value, if they were not to be used for Government purposes. However will gentlemen opposite might think they had answered the charges against them, there was this fact noticeable, that they had not succeeded in defending the charges relating to the Chancery Court, payments $68,000 and $41,000 without the authority of Parliament, and at the time when the individual paid had not even a contract. (Hear, hear.) He recalled the statement made by the hon. member for North Oxford that there was work for men on the Canada Pacific railway at $2 a day, as an evidence that the depression was not felt so badly as represented, and pointed out that labouring men could be engaged in the City of Ottawa at the rate of $1 per month, and that a man and a span of horses could be hired at $1 per day. He contended that the price of grain was not regulated by the Liverpool markets, but by those of Chicago. As to the alleged incorrectness of the figures of the hon. member for Cardwell, he said that from his knowledge of that gentleman he would not be the gentleman to falsify figures. (Hear, hear. After reading from the speech of the President of the Manufacturers' Convention as to the benefits of Protection, he entered upon the subject of public works, especially in relation to the Pacific Railway, and he contended that the section between Thunder Bay and Fort Garry ought to be first taken up to encourage the settlement of immigrants in that district. He represented a constituency which was a manufacturing constituency where the manufacturers were complaining they were being ruined for the want of protection, and he could assure them that his friends were Conservatives, and they sent to Quebec for timber, and as a matter of fact a considerable proportion of the orders was filled by Ontario manufacturers. The Finance Minister had asked, how they would increase the prosperity of the community by adding to the burdens of the population? The adversaries of the protective theory simply asked for such a readjustment of the tariff as would put the manufacturers upon a fair level with those of other countries. It was necessary to have manufacturers protected against those who were engaged in selling goods under cost in the country, and then, having gained possession of the market, raising up the price against the consumer as they can. The day was coming when the voice of those who spoke in this way would be heard through the constituencies.

Mr. PLUMB said they had been treated with a great amount of oratory, and very little reason on the opposite side.

A bill passed.

Mr. MASSON suggested the adjournment of the debate, which was accordingly moved by Mr. Plumb.

Mr. MACKENZIE said he was willing to agree to the adjournment, but thought there was some understanding come to as to concluding the debate.

Mr. MASSON said he had no authority to make engagements for hon. gentlemen on that side, but he would remind the House of the time which had been occupied by the speeches of hon. gentlemen opposite.

Mr. MACKENZIE said he was able to exercise control over his friends on that side in regard to matters of debate.

Mr. MASSON said the hon. member for Kingston did not appear to exercise any such sway.

The motion for the adjournment of the debate was carried and the House adjourned at 11 o'clock.

(Continued on Fourth Page.)

The Lincoln Election Case.

The arguments in the appeals from the decision of the Registrar in this now more than celebrated case, were commenced before the Judges of the election trial, on Thursday last. The first motion made was to add thirty-nine votes, which had been struck off the respondent by the Registrar on the ground that they had been added by the County Court Judge without any legal authority. It will be remembered that the Judge of the County Court, under the Voters' List Act of 1874, had, after examining into the merits of the several votes, added 60 or 70 votes to the voters' list, the greater number being Conservative votes. Of these votes 39 had been attacked by the petitioner, and only 13 by the respondent. The Registrar struck off the 39 who had voted for Mr. Rykert, but refused to strike off the 13 who had voted for Mr. Neelon. The Judges sustained the decision of the Registrar as to the Rykert votes, but ordered the 13 to be struck off Mr. Neelon's number. This at once reduced the majority of Mr. Neelon to seven votes. On Saturday four aliens were struck off the Neelon list, which reduced his majority to three. Mr. Bethune, for the respondent, applied to strike off the 22 votes, where the ballots had been taken away, and which the Registrar counted against Mr. Rykert. The Judges refused to interfere because the Registrar had entered in his evidence that Mr. Rykert consented to their being struck off, which, however, that gentleman flatly denied. Twelve more cases have been reserved, the majority of which will, in all probability, be decided in favour of the respondent.

Before the adjournment on Saturday Mr. Bethune drew the attention of the Judges to the fact that it would be impossible for them to say who had been legally elected, from the numerous complications which had already arisen; and from the remarks made by the Court there is little doubt that the result of this long and tedious trial will be the voiding of the election. As the case now stands, Mr. Neelon's majority—after allowing the 39 income votes and 22 ballots which have never been seen—is only three, with twelve cases attacked by the respondent reserved. In addition to this, the respondent has upwards of 110 appeals yet to be heard, while the petitioners have about seventy or eighty. The case stands adjourned to the 25th inst.

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NOTE—*Eclectric*—Selected and Electrized. 296

The Senate of Iowa have voted forty-one to four against the decapitation of criminals, and passed a bill restoring capital punishment by hanging by twenty-eight to nineteen.

ONTARIO ASSEMBLY.

Third Legislature---Third Session.

WEDNESDAY, Feb. 27.

Mr. LAUDER complained of the irregular manner in which the Public Accounts Committee had held its meetings. He saw no reason why meetings of this Committee could not have been held every day this week.

Mr. CAMERON considered that the Public Accounts Committee was a farce. The Accounts were not audited at all in the Committee, and its whole working was very unsatisfactory.

Mr. ROSS did not think the audit of the Public Accounts was satisfactory. This was in some degree due to the staleness of the Accounts. He thought it would be a change in the right direction if the fiscal year was made to end on the last day of September.

Mr. SCOTT said it was not at all surprising that the interest in the Public Accounts Committee was small when the Accounts of 1876 were not considered till 1878. He thought it would be very advisable to have the fiscal year changed as suggested by the member for Huron, if the Accounts could not be brought down immediately after the close of the fiscal year at present, but he thought this latter could be effected.

Mr. WILLS thought the Public Accounts Committee should be appointed at the first session of Parliament to continue during the whole Parliament. At present they were not appointed till seven or eight days after the opening of each session, by which much time was lost. The accounts at present were not satisfactorily audited, and many frauds might escape detection.

Mr. MOWAT moved that order for the second reading of the bill respecting Landlords and Tenants be not discharged. The bill involved some new principles, and the Government did not intend to deal with the bill this session.

Mr. CAMERON thought the bill should be left before the House, as some legislation might very expediently be made in favour both of landlords and tenants.

The order was discharged.

Mr. MOWAT moved the second reading of his bill to make certain amendments to the Revised Statutes. The first clause, he explained, provided that members of the Senate or Commons should not hold a permanent office under the Provincial Government. The second clause provided that the Chief Justices of the Courts of Queen's Bench and Common Pleas might transfer causes, so as to equalize the business of the two Courts. By the third clause, relating to the Chancery Court, payments of "The Suitors' Fee Fund Account" was abolished. The fifth section gave power to Superior Courts to receive further evidence in all appeals just as was the case before the Court of Appeal. The sixth clause provided that the depositions in shorthand might be taken down by question and answer and need not be read over or signed except when the Judge directed so or any of the parties desired. The bill further gave power to joint stock companies to issue preferential stock under certain conditions. Section fifteen was inserted to protect workingmen and others against railway companies. By it no bond or debenture now current, or that shall be hereafter issued by any railway company shall have a preferential claim over any debt for working expenses.

Mr. HODGINS said the two Chief Justices of the Courts of Appeal and Queen's Bench might not very well agree in the transfer of causes from one Court to another. He thought the transfer of causes should be left in a more flexible system than an Act of Parliament. It would be well to leave the question to be determined by general orders from time to time.

Mr. SCOTT thought that section fifteen was in the right direction but the bill would be more satisfactory if the personal property of a railway was placed in such a position that the holders of bonds, debentures, and the work of the road consequently stopped. It would be sufficient protection to creditors to give them the same position as applies to manufacturers.

Mr. CAMERON was opposed to any change in the jurisdiction of the Division Court. These Courts were originally designed for the poor class, but they were now assuming the proportions of a collecting agency for their debts. He did not object to this, but he thought the merchants should not be allowed to extend the jurisdiction of the Court any further. If they did it would be at the expense of suitors in small suits. The expense of suing in a higher court was not much greater than in an inferior court, and a man could plead his own case in the latter as well as the other. To extend the jurisdiction of the Division Court to $200 would cause much greater trouble and expense to small suitors than was originally intended.

Mr. FERRIS said that when the Division Court jurisdiction was extended to $100, that sum was equal to twice the same amount to-day. He thought the machinery of the Division Court would be simplified if there was one uniform fee for all cases.

Mr. HARDY was not aware that there was a feeling in the country that the jurisdiction of the Division Court should be extended. As far as he had heard, he thought there was a feeling to have the Court abolished, or confined to amounts under $20.

Mr. FALCONBRIDGE said there had been a feeling to abolish the Division Court altogether, because of the great expense it incurred in the collection of small amounts. It would be more popular if its jurisdiction were increased, because the collection of large amounts involved comparatively small expense. He had come to the conclusion that in this country the extension of the jurisdiction of the Court would be the sun. (Hear, hear.) There was too much machinery in our laws, and it entailed hardships on both creditors and debtors. The first necessary step was the extension of the Division Court. The time was come when the collection of debts in this country had to be simplified, and if the lawyers would not take action in the matter, the laymen would do it. Many business men were driven into bankruptcy by reason of the excessive expenses of the collection of their debts.

After further discussion, the bill was read a second time.

Mr. Wood's bill respecting the investment of public money in debentures issued for the construction of wharfs and harbours in township municipalities was read a second time.

The House adjourned at 10.50.

THURSDAY, Feb. 28.

The House went into Committee of the Whole on Mr. Wood's bill respecting the investment of public money in debentures issued for the construction of tile drains in township municipalities.

Mr. MOWAT objected to one feature of the bill. It provided that a township council might, without consent of the ratepayers, pass a by-law which would involve the whole of those ratepayers to be taxed for a loan which would benefit only a few individuals in the township. He held that the passage of the by-law should be left to the ratepayers, who ought not to be compelled to unwillingly become responsible for a loan for improvements for themselves. He therefore moved in amendment to the bill that the passage of a by-law for obtaining a loan for the purposes of the drainage purposes should be left in the hands of the ratepayers of the townships, just as all by-laws relating to the expenditure of money were in their hands.

Mr. WOOD said the suggestion of the hon. gentleman would involve great expense. It would, in fact, defeat the objects of the measure. County councils had the liberty of passing a by-law involving the expenditure of any sum less than $200, and he thought that a by-law to negociate a loan of not more than $15,000 might very properly be left to the township councils.

Mr. CAMERON said it would not be just for a whole township to be made responsible and stand security for a few individuals. Land worth ten dollars an acre could be underdrained at a dollar and an acre, and if the person owning the land failed in his payments the municipality would become liable for two dollars for land that had been underdrained. He did not see how hon. gentlemen could reconcile that with principles of justice. He totally opposed the principle of the bill because it was not a bill in the interests of the country at large, but of a few individuals only.

Mr. MERRICK wanted to know what advantage it would be to the ratepayers of a township for the bill to be printed. All that the ratepayers could do would be to remonstrate with the Council against its passage. They had no power whatever to prevent its passage, however much they were opposed to it.

The amendment of the member for West Peterboro' was a just one and in the interest of ratepayers.

Mr. MILLER said that $200,000, divided equally among all the township municipalities of the Province would only allow $400 to each township, or a sum that would be sufficient to drain only twenty acres. He could not vote for a scheme which was so narrow and restricted. He could not see why the Government should refuse to accept the amendment of the member for West Peterboro' to let the ratepayers themselves decide whether they should borrow money or not for the benefit of a few of their number. The principle was the same as if one man was obliged against his will to endorse a note made by another.

Mr. SEXTON did not know where the member for East Toronto could find land fit for drainage at ten dollars an acre. The investment was perfectly safe to all parties, and in the general interest of the country.

Mr. GIBSON held it would be only a bill of expense to have the by-law submitted to the ratepayers. He thought the greatest sum which a township could borrow should be placed at $10,000 instead of $15,000.

Mr. HUNTER spoke in approval of the bill.

Mr. CREIGHTON said the favours of the Government should not be confined to one class of the community only. If the principle was a correct one why should the Government not make a greater appropriation than the paltry sum of $200,000.

Mr. DEACON thought the scheme should be so extended as to allow individuals a means of borrowing money to clear their farms of stumps, as well as to underdrain their land. Many farmers of the county which he represented, in the eastern part of the Province, would receive such an extension of the scheme with approbation. Some of these farmers' lands were covered with large stumps, which were very costly to remove. If they were removed the productiveness of the land would be largely increased. He trusted this matter would receive the consideration of the Government.

Mr. FINLAYSON thought the measure one that would be in the interests of the country.

Mr. O'SULLIVAN said the bill singled out the few at the expense of the many. Any one who did not stand well with the members of a municipal council would find difficulty in obtaining a loan to drain his land.

Mr. Scott's amendment was put and lost on a division of 45 to 25.

Mr. LAUDER moved in amendment to the third section that it provide for the removal of stones and stumps, as well as providing for tile drainage.

The amendment was lost.

Mr. HARDY moved the second reading of his Bill to amend the Licence Act and other purposes. The first eight sections, he explained, related to the refunding of brewers' and distillers' licenses. The ninth section limited the costs on an appeal from a conviction under the Liquor Licence Act to $10.

Mr. MEREDITH said remonstrances had been made against the Licence Commissioners in London because two of them were members of the City Council. One of the Commissioners in London East had been charged with using his position as Commissioner against those who refused to support him in his candidature for the receveship. He (Mr. Meredith) did not think it was proper for the Government to appoint municipal councillors to be Licence Commissioners.

Mr. MOWAT said the Government always disqualified a man from being a Commissioner if he was a councillor. He had not heard the case the hon. member for London referred to.

Mr. CREIGHTON said that the head of the Board of Licence Commissioners at Thunder Bay was more interested in the liquor business than any other man in the neighbourhood. The chairman of the Board at Algoma was, he believed, a reeve, which was a very objectionable feature. He brought the bill should have contained a clause against druggists being allowed to sell twelve ounce packages of liquor. They sold large quantities of liquor, knowing well that it was for other than medicinal purposes.

Mr. DEROCHE said it was notorious in Napanee that druggists sold very large quantities of liquor in twelve ounce packages. One of them was reported to have sold 100 of these packages in one Saturday.

Mr. CROOKS said the law was not at fault, but those who administered the law. The law was quite strict enough to prevent the abuses practised by druggists and chemists, and he did not, see how it could be made more stringent than it was.

Mr. CREIGHTON said that the section relating to druggists gave them power to sell liquor to any person who said he wanted it for medicinal purposes. If the suggestion to require a doctor's prescription to obtain liquor could not be carried into effect, parties obtaining liquor should be compelled to sign a declaration that they were purchasing it for medicinal purposes.

The bill was read a second time.

The House adjourned at 11.45.

FRIDAY, March 1.

Mr. FRASER moved the third reading of his Bill to give finality to Voters' Lists and for other purposes.

Mr. MEREDITH, in moving an amendment to the motion, said he would read some remarks which the Attorney-General made last session when the Voters' Lists Act was under discussion. A reference to the report would show that the hon. gentleman had seen fit to abandon the views he took last session. He said on that occasion that "if the voters' lists were to be made final it would be absolutely necessary to the interests of elections that there should be a thorough investigation of them every year, and that would involve an expense a hundred-fold greater than under the present system." If his remarks had force generally, they had at the present time tenfold force. The position of the Government in causing another revision of voters' lists was most unjustifiable. It was quite evident they were preparing the lists for the purposes of the Dominion elections. He moved in amendment "That the period fixed by law for the duration of this Assembly will not expire until after the time appointed for the completion of the revision of the voters' lists for the present year, and in view therefore of the improbability of a general election for this House taking place on the lists of 1877, it is not expedient that the government should refuse to accept the amendment of the member for West Peterboro' to let the ratepayers themselves decide whether they should borrow money or not for the benefit of a few of their number. The principle was the same as if one man was obliged against his will to endorse a note made by another.

Mr. SEXTON did not know where the member for East Toronto could find land fit for drainage at ten dollars an acre. The investment was perfectly safe to all parties, and in the general interest of the country.

Mr. FRASER—Read the resolution.

Mr. LAUDER said the hon. gentleman would probably hear the resolution soon enough. The Government were by no means creditably placed in the County of Brant as they wished people to believe.

Mr. CREIGHTON objected strongly to the principle of appointing men to judicial positions whose only claim thereto was that they held particular views. He held that the principle involved was a monstrous one. It was said that these men would only be appointed in special instances; he (Mr. Creighton) would have much preferred had it been a general measure. The plan of the Government seemed to be that they should wait until a bitter feeling arose in a county, and then appoint a man to decide, whose opinions were altogether one-sided. Such a procedure, he believed, would only aggravate existing bad feeling. He would support the amendment proposed by the member for East Toronto.

The following division was then taken on the amendment:—

YEAS—Messrs. Baker, Barr, Boulter, Broder, Calvin, Cameron, Cole, Coutts, Creighton, Deacon, Flesher, Grange, Harkin, Kean, Lauder, Long, McDougall (Middlesex), McGowan, Meredith, Merrick, Monk, Moyna, O'Sullivan, Patterson (Essex), Preston, Richardson, Rosevear, Scott, Tooley, Wills.—31.

NAYS — Messrs. Appleby, Ballantyne, Baxter, Bishop, Bonfield, Chisholm, Clarke (Norfolk), Clarke (Wellington), Cole, Crooks, Currie, Dawson, Deroche, Ferris, Finlayson, Fraser, Gibson, Graham, Grant, Haney, Hardy, Hay, Hunter, Lane, Lyon, McCraney, McMahon, Massie, Master, Miller, Mowat, O'Donoghue, Pardee, Patterson (York), Paxton, Robinson, Ross, Sexton, Sinclair, Snetsinger, Springer, Striker, Watterworth, Widdifield, Williams, Wilson, Wood.—44.

The bill was read a third time.

Mr. CROOKS' bill respecting union school sections was read a third time.

The House went into Committee on Mr. Mowat's Bill to make certain amendments in the revised Statutes of Ontario.

Mr. MEREDITH moved that in section 1, subsection 28, providing that no member of the Senate or of the Commons of Canada shall hold any permanent office or employment in the service of the Ontario Government, to which any emolument is attached, the words "or temporary" be inserted after the word "permanent."

The amendment was lost on a division, the figures standing at 43 to 28.

Mr. GRANGE moved that in sub-section 2, of section 4, the words "one hundred," referring to debts within the Division Court, should be simplified if there was one uniform fee for all cases.

Mr. MOWAT said the matter was one to be dealt with in a separate bill. He was personally in favour of giving extended jurisdiction to these courts. He deprecated the want of confidence in the Government shown by hon. gentlemen on that side.

Mr. CLARKE (Norfolk) was in favour of extending the jurisdiction of Division Courts as far as $200, doing away altogether with appeal. He thought there should be no legal machinery whatever for collecting debts beneath $20, as he maintained this would tend towards placing the business of the country on a sound cash basis, doing away with credit to a great extent, with the present ruinous system of credit.

After some further discussion,

Mr. GRANGE stated that in consequence of the unexpected opposition of the Government, he would withdraw his amendment.

Mr. LONG thereupon took up the amendment which was lost by 56 to 13.

Mr. MOWAT moved the third reading of his bill respecting the Magistracy.

Mr. CAMERON objected to the ninth section of the bill, relating to the temporary appointment of Police Magistrates in counties for the administration of justice. He said that the clause was exceptional, and provided that a person might be appointed, which it was perfectly proper he should obtain, and which he would obtain under the present law. He moved that the bill be not now read a third time, but that it be referred back to Committee of the whole House with instructions to amend it by striking out the ninth section.

Mr. MOWAT said it had been found that in some cases the existing means of enforcing the law were insufficient, and the Government had devised this section in order that justice might be duly administered. He thought, however, that the very existence of such a law on the statutes would be sufficiens to compel all magistrates to perform their duties without fear or partiality, and thus render the appointment of police magistrates very rare. He had no expectation that the Government would see fit to appoint these magistrates except in a very few cases.

Mr. MEREDITH thought the proper remedy which the hon. gentleman sought for would be obtained if it were made law that a case could not be taken from the hands of a magistrate who had initiated proceedings. He protested against the exceptional legislation which the bill of the Attorney-General enacted. It set aside the whole ground work of the criminal law. The presumption of a man's innocence before conviction was taken away.