

here, yet discretion is to be used; and the hon. gentleman's scheme of assisted passages, which he professes to us—though some of the documents I have seen do not appear to bear him out—is confined to agricultural labour, is, so far as I can make out, in its practical operation, extended to the bringing into the country, by virtue of Government funds, certain classes of people for whom we have not room, viz.: mechanics and artisans. I believe that a considerable number have been brought into the country under the auspices, and partly by means of the assistance given by the Government, who had been better in the country from which they were brought. The hon. gentlemen who have spoken, have referred to the proposed legislation of the Session. It is not very new to us, because we had those Bills before us last Session. I do not intend to say a word upon either of them that I said last year. At the opening of the Session I pointed out what I thought was the true view with regard to the Franchise Bill; I will not repeat those words to-day. The Bill has been before the House, it has been before the country, but it has not yet received the advantage of explanation and vindication at the hands of its proposer, and I will reserve, for the present, any remarks I may have to make, until we hear from him, his vindication of the various provisions. This only I will say, that when I spoke last Session I did not and could not know that the measure would contain a provision so objectionable, so arbitrary, so unheard of, as a provision which the hon. gentleman proposed then, and which I hope he does not propose to embody in the Bill he is about to introduce, namely, that with respect to the appointment of revising barristers. With regard to the Factory Bill, there is another reason for saying nothing just now, because the hon. gentleman states it is to be introduced with further amendments. I only express the hope that when introduced it will be found to give as efficient a measure of protection to artisans of whatever age or sex in this country as is given to artisans in England. There is an omission or two in the Speech to which I must refer. The Fishery Exhibition is mentioned, and the hon. gentlemen who have moved and seconded the Reply have spoken with great and lively admiration on the success of that Exhibition, and of the triumphs which Canada there achieved. But we have some fishery interests which are to be promoted in other ways than by attending Exhibitions; there are some fishery clauses in a treaty, which clauses have been denounced, and which are to come to an end at no remote period; and I think some reference to that circumstance and to an intention to take the House into the confidence of the Government as to the course proposed by them, and to indicate what the Government have done in view of the approaching termination of the Fishery Clauses of the Washington Treaty, would have been at least of as much consequence as the paragraph which has been inserted in the Speech: It is very well known that within the last two or three years more particularly, the chief market for our fish has been the United States, and it has become of very pressing importance that we should know what the results are to be of the termination of these Fishery Clauses. It is of importance that the treaty should not terminate without an earnest effort in advance to make proper arrangements, so that there shall be no gap, if it can be avoided; and I will add that it is of great consequence also, and the times appear to be more propitious now than in former days, that in those negotiations due attention shall be paid to arriving at some mode of restoring freer trade relations between us and our neighbours than have for some time subsisted. The hon. gentleman (Sir John A. Macdonald) last year adopted the plan of referring to the judgments of the Privy Council in the Speech from the Throne, and we had a Ministerial exposition of a judgment of the Privy Council. But I am sorry to observe that that good custom is not followed this year. Some years ago, the Government, of which I happened to

be a member, finding a decision of the Court of Queen's Bench of Lower Canada in favor of the Provincial right to escheats, decided to abide by that decision—which was in accordance with my own view of the respective rights of the Provinces and the Dominion—and acting accordingly we made no effort at that time to assert any right on the part of the Dominion. At a subsequent period that decision was concurred in and adopted by the Appellate Court of the Province of Ontario, and so strengthened, the case came before the consideration of hon. gentleman opposite. They decided to adopt another course. Centralizing, as I have often charged the hon. gentleman with doing—centralizing wherever he can, with his eye set always upon that one object of drawing to the general legislature and government, all the powers and functions which he can by any possibility draw to it, the hon. gentleman said, although the former Government adopted this view, although the highest court of Ontario adopted it, although the highest court of Quebec adopted it, we will fight them and endeavour to secure for the Dominion the right to escheat. He took up the case, he instructed the counsel, he paid the fees, the case went to the Privy Council, and the hon. gentleman was beaten. The result has been to establish the Provincial right in this regard contrary to the views he entertained, and in accordance with the views and judgment of the two Provincial Courts to which I referred. I congratulate those who are lovers of our Federal Constitution upon this vindication of one of its important elements—not that the question of escheats itself is of much consequence, but because it was, as I have said, the means of vindicating one of the most important elements of our Constitution. I congratulate them on the failure of the hon. gentleman in attempting to arrogate to this Administration and this Legislature, a power which was not its right. But when we have an important decision of the Judicial Committee of the Privy Council settling a question of this kind finally and conclusively—not settling it in a manner susceptible of discussion, but settling it absolutely—why should not we be informed that our constitution has been definitively settled and expounded in one important matter?

It being six o'clock the Speaker left the Chair.

After Recess.

MR. BLAKE. Another omission from the Speech, yet more inexcusable, having regard to the language of the Speech last year, is the failure to refer to the judgment of the Privy Council in the Hodge case, bearing upon the license question. And as the First Minister adverted to the speech in which he made the statement with reference to the effect of the decision in *Russell vs. The Queen*, I suppose I may without impropriety myself refer to it. The report of his speech which was delivered early in the month of June, 1882, from the *Mail* newspaper, is as follows:—

"The following question in writing was here handed to Sir John:—'What is your opinion of the constitutionality of the Ontario License Act?'

"Sir John said that since Confederation his decisions had often been given as Minister of Justice on constitutional questions, and in no single case had his judgments been reverse. He believed that the Act was not worth the paper it was written on. The whole system of the Government appointing license inspectors to compel men to vote under penalty of losing their licenses was wrong and indefensible. Whenever the licensed victuallers brought the matter before the courts it would be decided that the Act was an usurpation, and had no force whatever, and he was surprised the question had not been pressed long before this. If he carried the country, as he would do, he would tell Mr. Mowat, that little tyrant who had attempted to control public opinion by getting hold of every little office, from that of a division court bailiff to a tavern keeper, that he would get a bill passed at Ottawa returning to the municipalities the power taken from them by the License Act."

Well, in the course of the debate on the Address, I took leave to point out that there were some serious questions to be settled before the views expressed in the Speech from