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DEBATES AND PROCEEDINGS  
OF THE  
SENATE OF CANADA  
IN THE  
FIRST SESSION OF THE SECOND PARLIAMENT  
OF THE  
DOMINION OF CANADA.

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JOHN GEORGE BOURINOT,  
SHORT-HAND WRITER TO THE SENATE, &c.



Ottawa:  
PRINTED BY ROBERTSON, ROGER & Co., TIMES OFFICE, WELLINGTON ST.

1878.

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DEBATES AND PROCEEDINGS  
OF THE  
SENATE OF CANADA,

IN THE  
FIRST SESSION OF THE SECOND PARLIAMENT OF THE DOMINION  
OF CANADA WHICH WAS CALLED TO MEET, FOR THE DESPATCH  
OF BUSINESS, ON WEDNESDAY, THE 5TH MARCH, A. D., 1873, IN  
THE 36TH YEAR OF THE REIGN OF HER MAJESTY QUEEN  
VICTORIA.

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*THE SENATE.*

Wednesday, March 5th, 1873.

The members of the Senate having assembled in the chamber at the hour of 10 o'clock,

Hon. Messrs. Chauveau, Muirhead and Cochrane presented Her Majesty's Writs, summoning them to the Senate, and subsequently came to the table and subscribed the oath prescribed by law.

The commission of Hon. P. J. O. Chauveau as Speaker was then read, and when he had taken the prescribed oath he took the chair at the foot of the throne.

After prayers, the House adjourned during pleasure, and when it was resumed, His Excellency the Right Honourable Sir Francis Temple, Earl of Dufferin, Governor-General of Canada,

and Governor and Commander-in-Chief in and over the Island of Prince Edward, and Vice Admiral of Canada and Prince Edward, &c., being seated in the Chair on the Throne,

Hon. Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House—"It is His Excellency's pleasure they attend him immediately in this House."

Who being come, Hon. Speaker said:—

*Hon. Gentlemen of the Senate; Gentlemen of the House of Commons.*

His Excellency the Governor General does not see fit to declare the causes of his summoning the present Parliament of Canada, until the Speaker of the House of Commons shall have been chosen, according to law; but to-morrow, at the hour of

three o'clock, in the afternoon, His Excellency will declare the causes of his calling this Parliament.

His Excellency the Governor General was pleased to retire, and the House of Commons withdrew.

Then, on motion of the Hon. Mr. CAMPBELL, seconded by the Hon. Mr. AIKINS, the House adjourned until tomorrow, at half-past two o'clock in the afternoon.

Ottawa, Thursday, 6th March, 1873.

His Excellency the GOVERNOR GENERAL, at three o'clock p.m., this day, proceeded in state to the Chamber of the Senate, and having taken his seat upon the Throne, His Excellency commanded the attendance of the House of Commons. The members of that body, preceded by their Speaker, the Honorable James Cockburn, appeared at the Bar. The Honorable James Cockburn then informed His Excellency that the choice of the House of Commons had fallen upon him to be their Speaker, and he prayed for the members thereof the customary Parliamentary Privileges.

After which His Excellency was pleased to deliver the following

#### SPEECH.

*Honorable Gentlemen of the Senate, Gentlemen of the House of Commons:*

1. In addressing for the first time the Parliament of Canada, I desire to express the satisfaction I feel in resorting to your advice and assistance, as well as my deep sense of my own good fortune in being permitted to associate myself with you in your labours and aspirations for the welfare of this Dominion.

I rejoice to think that my assumption of office should have taken place at a period when the prospects of the country appear so full of promise, when peace and amity prevail amongst all neighbouring nations, and when so many indications are afforded of the success with which Canada herself is consolidating her political unity and developing her material resources.

2. In accordance with the decision of Parliament, and to carry into effect the legislation of last session, I have caused a charter to be granted to a body of Canadian capitalists for the construction of the Pacific Railway. The Company now formed has given assurances that this great work will be vigorously prosecuted, and a favorable state of the money market in England affords every hope that satisfactory arrangements may be made for the

required capital. The papers and correspondence relating to this subject will be laid before you.

3. During the past year the surveys for the improvement and extension of our system of Canals, for which appropriations were made last Session, have been in active preparation; and I am glad to inform you that the plans and specifications for the enlargement of the Welland and the construction of the Baie Verte Canals have been completed, and that the works can now be put under contract.

The surveys for the St. Lawrence Canals which I am assured, be finished in time to commence the works at the beginning of next year. This will insure the completion of all these great undertakings at the same period.

4. It is gratifying to know that the efforts made to encourage immigration have met with a great measure of success, and that the numbers seeking a home in Canada have been greatly augmented during the last year. I do not doubt your readiness to make ample provision for the steadily increasing stream of settlers that may hereafter be annually expected to add to the population, wealth and strength of the Dominion.

5. The compilation of the first census of the Dominion approaches completion, and this would therefore, seem a fitting time to provide for the establishment of a proper system for the accurate collection and scientific arrangement of statistical information. I commend this subject to your attention.

6. It is important that provision should be made for the consolidation and amendment of the laws, now in force in the several Provinces, relating to the representation of the people in Parliament. A measure for this purpose, and one for the trial of Controverted Elections, will be submitted for your consideration.

7. Your attention will be invited to measures for the amendment of the Laws relating to Pilots, to Salvage, and to the Trinity Houses of Montreal and Quebec, as well as for the improvement of the Laws generally, affecting our Merchant Shipping.

8. Experience has shown that the duties now performed in the Offices of the Secretary of State, and the Secretary for the Provinces, may be readjusted with advantage to the public service. A Bill on the subject will be laid before you.

9. Among other measures, bills will be presented to you relating to the Criminal Law, to Weights and Measures, and to the

amendment and consolidation of the Inspection Laws.

*Gentlemen of the House of Commons :*

10. I have given directions that the accounts of the past, and of the first six months of the present financial year, shall be laid before you without delay. You will be gratified to learn that the finances of the Dominion are in a prosperous condition, and that there is no reason to doubt that the revenue will be sufficient to meet all contemplated charges upon it.

The Estimates for the ensuing year, which will be submitted to you, have been prepared with as much regard to economy as is compatible with the efficiency of the public service, and I venture to hope that you will be of opinion that the supplies which my Government will ask you to vote, can be granted without inconvenience to the people.

*Honorable Gentlemen of the Senate; Gentlemen of the House of Commons :*

11. Many of the subjects I have enumerated are of the greatest importance. It is with full confidence in your patriotism and wisdom that I commend them to your consideration, and I trust that a Gracious Providence may guide your Counsels in whatever may best promote the happiness of the people of Canada, and the welfare of the Empire at large.

The consideration of the Address was ordered to be taken up to-morrow.

Hon. Mr. VIDAL took the oath prescribed by law.

After some formal motions the House adjourned until 3 o'clock the following day.

Thursday, 6th March, 1873.

The SPEAKER took the chair at 3 o'clock.

ANSWER TO ADDRESS.

Hon. Mr. CAMPBELL moved the consideration of His Excellency's speech at the opening of the session.

Hon. Mr. LETELLIER DE ST. JUST said that when he had asked on the previous day for a delay until Monday the Postmaster General replied that it was not in accordance with the usage of Parliament to defer the answer to the speech, but he had looked into the subject, and his hon. friend opposite (Mr. Christie) was prepared with authorities to prove that it was in accordance with the practice and usage of Parliament to defer the answer, at the request of the hon. member who wished for additional information. He had stated on the pre-

vious day, and he still adhered to the opinion that there were such grave topics mentioned in the address, that many hon. gentlemen naturally wished time to consider them.

Hon. Mr. CHRISTIE said that when he had stated on the previous day that it was a parliamentary practice to ask for the production of papers, he had been under the impression that he was right, and that the Postmaster General was somewhat astray. Now, since yesterday, he had examined the Parliamentary authorities on such subjects, and found that Todd stated that, pending the agreement of the House to the address, questions may be put to Ministers and motions made for the production of papers. He also quoted from the Parliamentary records a case in point, and then went on to say that he had asked for delay because he wished for more information on a very important question mentioned in the speech.

Hon. Mr. CAMPBELL explained that he had simply stated that no papers could be brought down until the Address was considered. The authorities quoted by the previous speaker simply proved that a member might move for papers—a right he had never denied. The House would see that it could not have more information before it on Monday than it had to-day.

Hon. Mr. LETELLIER DE ST. JUST said that he had little doubt if more time was given, gentlemen would by some means or other have more information before them. For instance, he had learned that a member of the Senate had been ready to enter into a contract for the construction of the Canadian Pacific Railway, but had been refused by the Government. He now learned from an organ of the Government that Senator MacPherson "is a man of wealth," but he has "neither energy nor ability;" Senator MacPherson "ruined the Grand Trunk Railway;" he is "like Satan;" he is "guilty of splendid egotism." All this was certainly something new, and if the House were to delay a little more, perhaps similar information of an equally curious character would come out. It was certainly time that the House and country knew all the rights of the question. It was not treating the House with proper respect to refuse the request of gentlemen for a little more time for due consideration. Those were certainly extraordinary facts which we found stated in a Government organ.

Hon. Mr. CAMPBELL—Those are not facts.

Hon. Mr. LETELLIER DE St JUST—They are so represented by the press supporting the Government.

Hon. Mr. MACPHERSON expressed regret that the hon. gentleman should have brought the matter up; the time would come when he would be obliged to deal with it at length.

Hon. Mr. BOTSFORD supported the position taken by the Postmaster-General as strictly in accordance with Parliamentary practice. However, he had been much struck with the authorities quoted by the hon. gentleman opposite. It certainly seemed useless to allow such motions to be made when no results were to accrue from them. However, he hoped the Postmaster-General would accede to the request of the hon. gentleman and allow the consideration of the address to be deferred until Monday.

Hon. Mr. VIDAL said that he had no doubt the Postmaster-General would have acceded to a simple request for delay until Monday, but when that request was based upon a fallacious reason it was only right to refuse it. It was quite clear that the House would not have more information before it by Monday. The House was not asked to enter upon the merits of any of the measures mentioned in the speech, but simply to thank His Excellency for having given it information that certain questions would be submitted to the consideration of Parliament.

Hon. Mr. CAMPBELL said that he was quite ready to accede to the request of the gentlemen opposite and move for the discharge of the order of the day, though he did not see anything would be gained by the delay.

Hon. Mr. BENSON would like to see the papers with respect to the Welland Canal mentioned in the speech.

After a few remarks from Hon. Mr. BUREAU and others, Hon. Mr. CAMPBELL said that the hon. gentlemen knew perfectly well that they could not get, and that they did not wish any papers at present.

The order of the day was discharged, and the address ordered to be taken up on Monday next.

#### RETURN.

Hon. Mr. CAMPBELL laid on the table a return showing a certain increase in salaries of officers of the House made during the recess, by a committee appointed to deal with the question at the end of the last session.

#### EXPLANATIONS.

Hon. Mr. MACPHERSON said; I think

that this is the proper time to refer to a personal matter, since my name has been mentioned more than once since this discussion commenced. I do not intend entering upon private matters, for I know they are distasteful to everybody and to no one more than to myself. I prefer, however, making the very few remarks I feel compelled to make at the present moment rather than on the occasion of the debate on the address. A very coarse attack has been made upon me. The *Montreal Gazette*, as it is well known, is not owned by a private individual or a joint stock company, as other newspapers, but it is the property almost exclusively of Sir Hugh Allan. He is just as much responsible for all that appears in that newspaper, for all the errors of the editor, as he is liable to suffer by the mistakes of his book-keeper. It is quite probable, had he been home, that attack upon me would not have appeared, at all events his editor would have been more fully informed with respect to the matters referred to in that article. However, Sir Hugh Allan must be held responsible, for the paper is his property; it is bound to consult his wishes and promote his interests. The best reply can be found in the fact that Sir Hugh Allan sought my co-operation more than a year ago in carrying on this great enterprise. Had I been such a person as I am described by his organ, it is hardly likely that he would have sought my assistance so earnestly. I have been compelled to decline that co-operation after understanding this scheme in all its bearings. I looked upon it more as a conspiracy against the county than as a scheme for constructing the Pacific Railway. I looked upon it as a scheme by which the great interests of Canada would be transferred to foreigners and rivals. I regretted very much that it was so. I did all I could to prevent it, but I was not successful. Therefore I had no recourse but to decline co-operation and do all I could to prevent the scheme being carried out. Could I have given that co-operation I would not have been made the subject of an attack in the organ of this gentleman. I hold still the same opinion with respect to this scheme. I regret very much to be compelled to touch upon the matter of the Pacific Railway now, for I intend bringing it forward in the shape of a substantive motion at a future day. It is very distasteful to me to resent the gross attack made upon me. Sir Hugh Allan and I have been known to each other for upwards of 35 years—we have a good many mutual friends and acquaintances. I do not say too much when I state that whilst



Sir Hugh Allan has amassed a very good fortune, I would be very sorry to exchange records with him. That is not only true but it is also well known that throughout the country Sir Hugh Allan is very much miss-trusted in this matter, even by his own colleagues. It will probably be found that there is a clause in the charter for the express purpose of protecting his colleagues from Sir Hugh Allan. I must add that to have an editor in one's employ is quite a modern luxury. It may be a very agreeable thing to have one's editor travelling in one's suite, to explain away what requires to be explained, to supply what may be omitted in a speech; still this is attended with danger at the same time. Our forefathers had also their luxuries—their jesters and their minstrels, but they were flatterers by whatever names they were known—from poor Yorick to Wamba the Witless. I do not wish to say anything derogatory to the ability of the editor—he is a man of some note—he was employed by the Government to act as immigration agent, and he made some speeches in the promotion of his mission, and then came back and lectured the department for its mismanagement. Of course if Sir Hugh Allan will employ a jester, and some one to wear the cap and bells, he must receive the odium of the mistakes that are made in the absence of himself or his editor. I can only add, that I have acted with great forbearance throughout the whole question, and deeply regret being forced now to make these remarks in my own justification.

Hon. Mr. LETELLIER DE ST. JUST—I can certainly say with other gentlemen that I have more information before me than I had yesterday. Perhaps we shall learn still more by Monday next.

The House then adjourned until Monday.

MONDAY, 10th March, 1873.

The SPEAKER took the chair at three o'clock.

Hon. Mr. BOTSFORD gave notice of a motion with respect to the Intercolonial Railway; Hon. Mr. MILLER, of a notice with respect to a vacancy in the Supreme Court of Nova Scotia, and the equalization of the salaries of the Judges of the Maritime Provinces.

ANSWER TO THE ADDRESS.

Hon. Mr. VIDAL said—I rise for the purpose of moving that, the following Address be presented to His Excellency

as an answer to the Speech with which he has been pleased to open Parliament :

To His Excellency the Right Honorable Sir Frederick Temple, Earl of Dufferin, Viscount and Baron Clandeboye, of Clandeboye, in the County Lown in the Peerage of the United Kingdom, Baron Dufferin and Clandeboye of Ballyleily and Killeleagh in the County Down, in the Peerage of Ireland, and a Baronet, Knight of the Most Illustrious Order of Saint Patrick and Knight Commander of the Most Honourable Order of the Bath, Governor General of Canada, and Governor and Commander-in-Chief in and over the Island of Prince Edward, and Vice Admiral of Canada and Prince Edward, &c., &c, &c.

*May it please Your Excellency :*

We, Her Majesty's dutiful and loyal subjects the Senate of Canada in Parliament assembled, humbly thank Your Excellency for your gracious speech at the opening of the present Session.

We thank Your Excellency for your desire, in addressing for the first time the Parliament of Canada, to express the satisfaction which Your Excellency is pleased to feel in resorting to our advice and assistance, and for communicating to us Your Excellency's deep sense of your good fortune in being permitted to associate yourself with us in our labors and aspirations for the welfare of this Dominion, and we rejoice with Your Excellency, to think that your assumption of office should have taken place at a period when the prospects of the country appear so full of promise, when peace and amity prevail amongst all neighbouring nations, and when so many indications are afforded of the success with which Canada herself is consolidating her political unity and developing her material resources.

We thank Your Excellency for informing us that in accordance with the decision of Parliament, and to carry into effect the legislation of last session, Your Excellency has caused a Charter to be granted to a body of Canadian capitalists for the construction of the Pacific Railway. We are glad to hear that the Company now formed has given assurance that this great work will be vigorously prosecuted, and that a favorable state of the money market in England affords every hope that satisfactory arrangements may be made for the required capital. We shall duly consider the papers and correspondence relating to this subject which Your Excellency may be pleased to lay before us.

We are glad to be informed that during the past year the surveys for the improvement and extension of our system of Canals, for which appropriations were made last Session, have been in active preparation; that the plans and specifications for the enlargement of the Welland, and the construction of the Baie Verte Canals, have been completed, so that the works can now be put under contract:—and we are pleased to learn that Your Excellency is assured that the surveys for the St. Lawrence Canals will be finished in time to commence the works at the beginning of next year, which we rejoice to be informed will insure the completion of all these great undertakings at the same period.

We are gratified to hear that the efforts made to encourage immigration have met with a great measure of success, and that the numbers seeking a home in Canada have been greatly augmented during the last year. We shall readily concur in such measures as shall make ample provision for the steadily increasing stream of settlers that may hereafter be annually expected to add to the population, wealth and strength of the Dominion.

We are thankful to learn that the first Census of the Dominion approaches completion, and we concur with your Excellency in the opinion that this would, therefore, seem to be a fitting time to provide for the establishment of a proper system for the accurate collection and scientific arrangement of statistical information. We shall cheerfully give our attention to this important subject.

We are fully aware, that it is important that provision should be made for the consolidation and amendment of the Laws, now in force in the several Provinces, relating to the representation of the people in Parliament: and we assure your Excellency that any measure for this purpose, and for the trial of Controverted Elections, which may be submitted to us, shall receive our most attentive consideration.

Our earnest attention will be given to any measure which Your Excellency may cause to be brought before us for the amendment of the laws relating to Pilots, to Salvage, and to the Trinity Houses of Montreal and Quebec, as well as for the improvement of the laws generally, affecting our merchant shipping.

We concur with Your Excellency, in opinion that experience has shown that the duties now performed in the offices of the Secretary of State and the Secretary for the Provinces, may be readjusted with advantage to the public service; and we

shall respectfully consider any Bill on the subject which Your Excellency may cause to be laid before us; as we shall also any Bills presented to us relating to the Criminal Law, to Weights and Measures, and to the amendment and consolidation of the Inspection Laws.

We are duly sensible that many of the subjects which Your Excellency has enumerated are of the greatest importance. We are grateful to Your Excellency, in commending them to our consideration, for the expression of your full confidence in our patriotism and wisdom, and we trust with Your Excellency that a Gracious Providence may guide our counsels in whatever way may best promote the happiness of the people of Canada, and the welfare of the Empire at large.

Hon. Mr. VIDAL then continued:—Before touching upon the subject matters mentioned in the Address I cannot refrain from referring for a moment to the discussion that occurred on Friday last. I trust that my honorable friend from Riviere Ouelle has obtained the information which he desired. Certainly so far as I am concerned the delay has not been without benefit for I have been able to obtain some information from the same source.

Hon. Mr. LÉVELLIER DE ST. JUST.—I hope the honorable gentleman who is new to this House will not depart from the ordinary tone with which we are familiar. I will take no lesson from the honorable gentleman.

Hon. Mr. VIDAL—I would not presume for a moment to dictate to the honorable gentleman. I am quite aware what becomes me as a junior member of this august assembly; but I cannot see any impropriety in referring to the subject which the honorable gentlemen himself introduced. With respect to the same statements to which he alluded, I find that the whole sting is taken from them by the fact that Sir Hugh Allan has no interest whatever in the paper from which the quotations were made.

Hon. Mr. MACPHERSON.—Is any one prepared to prove that?

Hon. Mr. VIDAL.—I find the fact stated on the authority of the same source from which the member for Riviere Ouelle quoted—the public press.

Hon. Mr. LÉVELLIER DE ST. JUST.—There is no member for Riviere Ouelle.

Hon. Mr. VIDAL.—I beg the honorable gentleman's pardon, but I thought I was right in so styling him. But I find that Sir Hugh Allan is not responsible legally or morally for what appears in the paper in question.

Hon. Mr. BUREAU: Is this the debate on the Address?

Hon. Mr. VIDAL: I will not touch upon that question again, but come at once to the Address. I am sure there will be only one sentiment in this House with respect to our willingness to express to His Excellency our gratification in receiving from him the announcement which he has been pleased to make, of his personal pleasure in meeting with us and sharing in our labours and aspirations for the welfare and prosperity of the Dominion, I am quite satisfied that these words are not unmeaning expressions on His Excellency's part, but have the ring of truth. The whole course which their Excellencies have pursued since they came to this country goes far to corroborate what I say, that these are the expressions of deep feeling. I am quite sure that this House will reciprocate the feeling of pleasure to which His Excellency confesses in meeting with us. It is a matter of gratitude to us that our Sovereign has chosen a nobleman of high social position and no ordinary intellectual attainments—one in every way so well calculated to represent her interests in this Dominion. When to all this is added the charm of high literary attainments, I think we have indeed reason to congratulate ourselves as well as His Excellency that we are privileged to meet and labour together for the welfare of Canada. It would not be a great stretch of fancy to imagine that His Excellency had received in addition to his formal instructions the personal acknowledgment from our Sovereign herself of the deep interest she takes in the future of these dependencies of the Empire. We can believe that it is his desire to represent the Queen by constant intercourse with all classes of the people and show us that she has no sympathy whatever with those views and sentiments which are sometimes expressed in favor of the separation of the colonies from the parent state. I think all His Excellency's remarks will bear me out in the statement that it is his desire to impress forcibly on the people of Canada that Her Majesty wishes to strengthen and perpetuate the ties which now bind the Dominion to the Empire. When we think of the opportunities which His Excellency has had of making himself acquainted with the resources of Canada and the character and genius of her people, when we think that he has used those opportunities so fully, it is no small gratification to us to hear him say that Canada is consolidating her political unity and developing her material capabilities

at so rapid a rate. We who are engaged in this work ought to be perfectly satisfied with what we are doing, but to me it is a source of great pleasure to find one looking down from his elevated position—a position so far removed from our party politics—able to refer to our progress in so eulogistic a strain.

His Excellency then proceeds to refer to a matter which was made the subject of discussion, somewhat prematurely I think, on Friday last—I mean the charter granted by the Government to a Company for the construction of a Pacific Railway. All I believe we were asked to do is to thank Excellency for the information which he has given us on this subject. We have not yet the data on which we can argue as to the propriety or impropriety of the action taken by the Government. I cannot conceive that anyone fetters himself in any way by consenting to the passage of this paragraph. As for myself, I shall feel at liberty to criticise fairly and fully any particular part of the Act that I may consider not consistent with the public interests. It has struck me, however, on reading the charter that the Government have taken the utmost care to secure a *bona fide* company—that they have obtained all necessary securities and guarantees; and, indeed, the names of the gentlemen at the head of the undertaking should give us every confidence. I would have been exceedingly glad to see the name of the hon. gentleman opposite (Hon. Mr. McPherson) also associated with the other gentlemen in carrying out this great national enterprise. Without this railway the unity of Canada must be a dead letter—it is most essential to the existence of the Dominion. When we consider the character and resources of that rich and fertile country, still a wilderness—and we have a large amount of valuable information from travellers and others—we ought to lose no time in opening it up to that large population which must naturally flow in at the earliest opportunity. It has a vast area of fertile territory, and a salubrious climate, and is capable of sustaining many millions of people. If Canada delays in opening up this valuable country we may be sure that the people of the United States will gradually flow in and occupy it. If I am spared to live the ordinary number of years allotted to man, I expect to see the rich products of the East finding their way by this route to the markets of Europe. I do not believe these are Utopian ideas, but I consider it a work in which we should engage without the least delay. I would like to

see such a question divested of all party aspect. Whatever may be our views with respect to the personnel of the administration, we ought to approach it in a Canadian spirit, as men identified with the welfare and prosperity of our common country. (Hear, hear.)

The next topic is only secondary in importance to that of which I have just spoken, and that is the improvement and enlargement of the canal system. I rejoice to see that so much has been accomplished in this direction although I am sorry that there is no mention made of another very desirable project, and that is, the Caughnawaga Canal, which must attract so large a portion of western traffic the moment it is completed. Some may think that some of those works might be postponed for the present—the Bay Verte for instance—but we must not look on these questions from a local stand point—as affecting a particular locality or section, but we should lay aside all sectional or provincial feelings in view of the decided public benefits which must result from the accomplishment of these works. I consider the Bay Verte Canal as the natural complement of the St. Lawrence system of navigation. Considerable trade would doubtless take that way from the West to the Eastern States. As to the other questions mentioned in the Speech, I need not dwell on them at any length. We must express our gratification in hearing that such energetic efforts are being made to attract immigration. Unless we can get population we cannot make much headway with all the public works we are contemplating. As soon as we have population we will see the fertile valley of the Saskatchewan studded with farms. I hope, I may add in connection with this matter, that we will also see the navigation of that distant river opened up, as for the present it will afford a decided boon. I need not say much with respect to the census; it is simply a matter of detail; no difference of opinion can exist on that point, and certainly it is very satisfactory to hear that this great work is approaching completion. The statements with regard to the consolidation and amendment of the laws must meet with general approval. I am quite sure that it is the universal opinion that some amendment is required in the election law. We have had some experience in Ontario and Great Britain of the workings of the new system, but we have also seen that even the Bench in this country is not always free from political influences. I trust, however, that whatever measure the Gov-

ernment may bring down will be acceptable to the whole country. The other measures to which reference is made must also meet with our approbation. I cannot refrain from expressing the pleasure which I feel in hearing that the finances of the Dominion are in so very satisfactory a condition. Under these circumstances we may well agree with His Excellency that he has entered upon the discharge of his high duties at a very auspicious period —“at a period when the prospects of the country appear so full of promise.”—(Cheers.)

Hon. Mr. COCHRANE—I have much pleasure in seconding the answer to the Address, although I do not intend saying more than a few words after the able remarks to which we have just listened. We all, I feel assured, join with His Excellency in his expressions with respect to this country. We all feel that it is our desire to associate ourselves with him in promoting the prosperity of the Dominion. The important measures mentioned in the Speech will, I am confident, receive the fullest consideration of this House. (Hear, hear.)

Hon. Mr. LEPÉLIER DE ST. JUS?—I feel bound as a member of this House not to give any factious opposition to the passage of the Address. Certainly had it not been for the preamble to the hon. gentleman's speech, not an objection could be fairly taken to his remarks in moving the Answer. On the contrary, I think he is deserving of every compliment for the manner in which he has acquitted himself. I cordially reciprocate his remarks with respect to His Excellency. As the topics mentioned in the Address will come up for discussion at another time, I do not intend referring to them specially at the present stage. As the hon. gentleman has said himself we cannot but congratulate ourselves that the Dominion has been honored by the presence of the new Governor General, that a nobleman of such high ability has been entrusted with the Government. As to the measures in the Speech we know nothing as yet about their merits. There was a law passed last Session to give an enormous power to the Government with respect to the Canada Pacific Railway. If I have objected to this enterprise it was not because I considered it useless. I believed then as now that we were going far beyond our means. As to the necessity of opening up communication with the Northwest I have always said the sooner it was done the better for the interests of the country. I consider, however, the passage of this Address is only a

formal matter, and we should not under those circumstances offer any amendment, although we may differ entirely from the policy of the Government. We have to thank His Excellency for the completion of the census, and certainly it is satisfactory to have some assurance at last on that subject. I hope that we will soon be able to make a comparison with the last census in all particulars. Indeed I would like to see some means adopted for taking the census more frequently as respects certain points. When we asked for a delay to consider the Address, it was not through any want of courtesy towards His Excellency. I think it was in accordance with the usage of this House, and I felt some parties with whom I had been speaking were anxious to obtain more information on certain points; and that information, I may add, I have received. I must say that the mover of the Address has proved himself a careful supporter of the Government. I believe him to be one who honors his seat, but at the same time I cannot help feeling that the Government in filling up the recent vacancies have acted contrary to the principle laid down at the time of Confederation. We are now creating a sort of impediment to future Governments when we fill up the Senate with gentlemen all holding one set of political opinions. We had pledges from Sir Etienne Tache, the present Premier, and the Post Master General himself, that a different rule would be observed, and it was carried out in 1867. I have no doubt that both the gentlemen who spoke on the address will be ornaments to the Senate, but I ask the Government whether they are acting fairly with political parties in making their Senatorial appointments from their own friends solely. It may be said that gentlemen, when they come into this House are expected to divest themselves of party feeling to a large extent, but we all know humanity is very weak.

Hon. Mr. CAMPBELL—My hon. friend has on this occasion, as on others, taken that course which is highly creditable to him as the leader of Her Majesty's Opposition in this House. Certainly it is very desirable that the House should consider the reply to Address in the spirit in which the hon. gentleman has considered it on the present occasion. These answers are expressions more of courtesy than anything else, and the desire of both parties is to reply respectfully to the address from His Excellency. I cordially compliment my hon. friend who has moved the answer, as well as the hon. gentleman who has seconded it. It is a matter of plea-

sure that we have added to this body gentlemen so thoroughly qualified in every way. With respect to the remarks which fell from the hon. gentleman opposite as to the manner in which the appointments to the Senate are to be made, I am not aware how far he is correct. It was certainly said at the time of Confederation that due consideration would be shown to the two political parties in the selection of members to the Senate, and that promise was carried out. I am not aware—it will be, however, a matter of duty to ascertain the fact—that there was any promise that the same principle would be adopted in the future selection.

Hon. Mr. LOCKE—It was carried out in the original selection from the Maritime Provinces.

Hon. Mr. CAMPBELL—In England the practice of a Conservative Ministry is to appoint Peers from their own party, and the same be said of the Whigs.

Hon. Mr. MILLER—Is not this a coalition Government?

Hon. Mr. CAMPBELL—Whenever there is a Coalition Government, of course they will appoint members from both parties, I would, however, like to know whether there was any such pledge given, as the hon. member for Grandville intimates, and I shall therefore enquire into the subject. The original compact was certainly carried out in the case of the different Provinces. I can only add in conclusion my deep sense of gratification at the manner in which this address has been received by gentlemen on the opposite side.

Hon. Mr. CHRISTIE—My hon. friend opposite has already spoken so well on this subject that it is not my intention to offer any lengthy remarks. It is an understood custom—one entirely in accordance with British usage—that whenever there are no objectionable passages in the Speech from the Throne, the answer should be allowed to pass without any discussion of a political aspect. I simply wish to say, apart from the matter of the Speech, that I regret in common with a great many others, that the Government have not called Parliament together at an earlier period. Last year it was very late—that was said to be due to the request of the Home Government at a time when the Washington Treaty was under discussion. We have not heard of any reason however, why Parliament should have been delayed this year to the fifth of March. It is notoriously a matter of great inconvenience, and in fact positive loss, to many of us, when we are delayed here into May. Of course a member of

Parliament must make his personal interest subordinate to his public duties, but still the Government should consult the convenience of some 300 gentlemen and call Parliament together at as early a date in February as possible. Certainly the convenience of these 300 members should be consulted, in preference to that of 13 Cabinet Ministers. Before sitting down, I must also refer to a topic mentioned by my hon. friend, and that is, the promise given by the Premier at the time of Confederation with respect to the selection of Senators. I think my hon. friend has stated correctly the nature of the pledges that were given. Turning to the debates on Confederation we find the Premier himself stating:—"No ministry can in the future do what they have done in Canada before; they cannot with the view of carrying any measure or strengthening party, attempt to overrule the independent opinion of the Upper House by filling it up with a number of their partisans and political supporters." I might quote from other members of the Government to the same effect, but I believe it is unnecessary. Of course I must not be understood as saying a word that can be considered disrespectful to the gentlemen recently appointed, for they are men of ability and position, but at the same time I feel they represent and are taken from a particular political party.

Hon. Mr. CAMPBELL.—I may say in reply to the hon. gentleman that the short delay that has occurred in calling Parliament together—not more than fifteen or sixteen days—has not been with a view to the convenience of the Government. Certain measures have to be introduced with the British Parliament, and consequently the Canadian Government were obliged to postpone the meeting of the General Legislature for a few days. I am not quite prepared to say just now what those measures are, but I think when they are known the Government will be perfectly justified.

Hon. Mr. MILLER.—I must congratulate the hon. mover of the Address, although not agreeing in all he said, on the able manner in which he discharged the duty devolved upon him, and also this House on the presence among us of a gentleman of his ability and experience. Before referring to the Address, I must add a few remarks to those that have fallen from my hon. friend opposite (Hon. Mr. Christie) respecting the late meeting of Parliament. I cannot but express my regret that in selecting the time for bringing us together this year, that greater regard

has not been had to the wishes and convenience of members, and am a little surprised that no better reason than that offered by the Hon. Postmaster General has been given in justification of the delay. By a resolution adopted elsewhere two or three years ago, I thought it was definitely understood that unless for good reasons to the contrary the Dominion Parliament should be convened not later than the 15th of February in every year. As no such reasons have been given, we may assume from the vague defence of the hon. gentleman they do not exist.

It is not probable that we can rise this Session until some time in June, and thus three hundred gentlemen from all parts of the country, or at any rate, a large majority of them, will be obliged either to remain here to their great loss during the busiest season of the year, or else abandon their legislative duties before the Session is half over. This may be a subject of indifference to ministers, but it is one of deep importance to three-fourths of the members of both branches of Parliament. I cannot see why it should be so, and why Parliament cannot be convened at a more suitable period, earlier in the year, when, in this country, all classes have the most leisure and the least pressing business engagements. How is it, that the United States Congress can meet annually on a given day, and also that the Imperial Parliament meets every year with nearly equal regularity? Have our thirteen ministers more work to accomplish, more important measures to mature, greater preparations to make for the meeting of Parliament than devolves on the statesmen of those great countries? I trust Parliament will take the subject into its consideration and adopt some rule the ministry will be obliged to obey. (Hear, hear.)

The first paragraph of the Address very properly reciprocates the satisfaction and pleasure expressed by His Excellency in meeting the Parliament of Canada for the first time. There can be no doubt that the present prospects of the Dominion in many respects are highly promising, and that in a general way the circumstances are auspicious under which we are now called upon to welcome the distinguished nobleman, Our Gracious Sovereign has lately sent to represent her authority in this country. Coming among us with a high reputation acquired in more than one field of honorable ambition, this eminent personage has already realized in many respects the flattering anticipations we were led to entertain

of him, affording signal proof of the deep interest he takes in our welfare, and giving promise of becoming the most popular representative of royalty we have ever had among us. His Excellency will find among the people of Canada a devotion and attachment to the Crown and person of his Royal Mistress exceeded in no other portion of Her Dominion, and that but one feeling exists, without distinction of creed or class, race or party, in regard to making his sojourn among us pleasant to himself and advantageous to the empire. It has been the good fortune of Canada, especially in latter times, to be blessed with impartial constitutional governors, but our people have come to consider that other functions belong to the vice-regal office than those of a strictly constitutional character. Her Majesty's representative in this Dominion possesses, in many ways, the means of endearing and strengthening the connection now so harmoniously existing between the Crown and its great dependency. Under the complete system of self-government bestowed upon us, his high office forms the only link visible to many in that connection, and therefore it is that it becomes so necessary, with our peculiar surroundings, that the individual holding that position, while commanding respect by the impartial discharge of his constitutional duties, should be able at the same time to win the affections and rivet the attachment of the people. We all believe that this will prove to be eminently the case with His Excellency. But I must not be understood to say that I consider the vice regal office the only link that binds us to the Empire. The secret of our attachment to the empire is not to be found in any mere connecting link or symbol of authority, but the persons representing such authority may intensify that attachment by the exercise of those graces and kindly offices that adorn exalted station. The loyalty and attachment of the people of Canada to the mother country are founded on their gratitude for past kindness and protection, and upon their veneration for those great principles of free constitutional government under which it is our happiness to live, and which exists nowhere in the same vigor and purity as in the powerful empire of which it is our boast to form a part. [Hear, hear.]

The most important subject referred to in His Excellency's speech is the gigantic scheme for the construction of the Pacific Railway. The language of the address seems a tacit approval to some extent of the policy of the Government in regard to the

charter granted for this purpose. For my own part, I wish it to be understood I shall not consider myself bound in any way to approve of the conduct of the Cabinet respecting this great work, in permitting the address to pass without a division. I have not yet the information necessary to enable me to form an opinion on the subject. After that information is submitted to the Senate, and all the papers and correspondence connected with the negotiations are in the possession of members, I shall be prepared when the question comes before the House, to give it an impartial, if not a favorable, consideration. But it is unfortunate that there should exist, as there certainly does exist at the present time throughout this Dominion, grave and widespread suspicions in connection with the charter granted to Sir Hugh Allan and his friends. If these suspicions have any foundation—in fact, if it turns out to be true, that this charter will denationalize the character of this great Canadian enterprise—if it will even jeopardize its national character in any degree, no greater calamity has ever befallen this country. I shall await the information that I hope and trust will dissipate all doubt on a point which I believe has created intense alarm in the public mind, and which, I think, the Government is bound, if it is in its power, to allay at the earliest possible moment. But there is one view of the case in which I consider the conduct of Ministers highly reprehensible. The charter has been issued but a few days before the meeting of the legislature, on the authority, of course, of an Act of Parliament, but an Act of an expiring Parliament. No more important Act was ever submitted to this legislature—its consequences for weal or woe will only be revealed by time. But was it not due to the people of this country—Was it not due to their representatives fresh from the polls, when only the delay of a few weeks was involved, that the manner of imposing this great burden should undergo their revision? I think it was. (Hear, hear.) The next topic referred to in the Address interesting to the Maritime Provinces is the Baie Verte Canal. In dealing with this subject I regret to be obliged to speak somewhat in a sectional spirit, but I think I can appeal to my record as a public man for the last ten years, in this Parliament and the Legislature of my own Province, against any charge of giving undue weight to "parish politics." If I have erred at all, I have erred on the other side.

No one more readily than myself consented to the enormous burdens the Dominion was compelled to assume in connection with the admission of Manitoba and British Columbia into the Confederation. The representatives of the Province of Nova Scotia in both branches of Parliament took the most unselfish and liberal view of the duty of the country in regard to these young Provinces, and the construction of the Pacific Railway. I was even taunted by an honorable gentleman then a distinguished member of this House with my "enthusiasm" on those questions. (Hear, hear.) But I consider I would be recreant to the duty I owe to my own section of the Province of Nova Scotia, if I longer refrained from entering my protest against the unjust policy of the Government in regard to public improvements in Cape Breton and Eastern Nova Scotia. So far as Nova Scotia is concerned, the Baie Verte Canal will only benefit a few favored counties—the lucky County of Cumberland in particular—in which so much public money has already been expended on various railways and other public works. There is not a word in the Speech of His Excellency about Eastern Railway extension, or the enlargement and continuation of St. Peter's Canal. We have been so long used to injustice, we have so long blindly followed men and parties who evince the utmost contempt for our wants and interests, that we have come to be treated with systematic injustice almost as a matter of prescription. Our people now look to their representatives in Parliament for some assertion of their undoubted rights. Why should the eastern terminus of the Inter-oceanic Railway stop at Picton in the Gulf of St. Lawrence, closed during half the year with ice? The true and just policy in relation to Inter-oceanic R. R. connection would carry the eastern terminus to the splendid harbor of Louisbourg on the Atlantic coast of Cape Breton. We are entitled to this act of justice on considerations of no sectional description. But even on sectional considerations the old Province of Cape Breton has claims on the justice of this Parliament. The Province of Nova Scotia entered the Union with a debt of over nine millions of dollars, which almost altogether was contracted in constructing public works east of Picton. With the exception of the comparatively small sum expended on St. Peter's Canal that Island has received very little benefit from this large outlay. Yet we have been compelled to assume our share of the burden of that heavy debt. We have since Confederation also assumed our share of the expenditure for

the construction of the Intercolonial Railway. That section of the Dominion which has been already so greatly favoured by all this vast outlay of public money, is now promised an additional expenditure of several millions of dollars on what many consider a visionary undertaking. I can only attribute this injustice to some undue influence in some quarter. In arguing the claims of Cape Breton, I am amenable to no charge of sectionalism, especially from those portions of the country that have used us almost as beasts of burden for half a century. It is not from the favored sections that such a charge should come, and it will come from nowhere else. In conversation a few days ago with an hon. member of this House representing the young colony of Manitoba, he complained as a great hardship, that he was obliged to travel over two hundred miles in coming to Ottawa before reaching a railroad. My hon. friend from Sydney, the old capital of Cape Breton (Hon. Mr. Bourinot) whose county possesses a population double that of the whole colony of Manitoba—perhaps the most valuable county in the Dominion, exporting two-thirds of the whole coal export of Nova Scotia had to travel over two hundred miles before making railway connexion in coming here to attend to his parliamentary duties. (Hear, hear.) I myself am nearly as badly off. But we have just contracted an obligation of thirty millions of dollars, simply to give Manitoba and British Columbia railway communication with the rest of this Dominion, and the whole continent. I do not complain of this; on the contrary, I rejoice at the wisdom and liberality Parliament displayed in respect to that great national undertaking, the Pacific Railway. But let us at the same time look nearer home, and not exhibit too much of the policy of a Foreign Missionary Society. Surely the old Province of Cape Breton is as much entitled to railway connexion with the Dominion as any other member of the Confederation. We make no unreasonable demand, but a demand founded on simple justice, and an honest compliance with our national railway policy. (Hear, hear.) Apart from the subjects of the railway and canals the Address contains very little of importance, except what is too vague and general to indicate the policy of the Government. It appears to me to be more remarkable for its studied omission of many subjects of interest to the country. It contains not a word about the present position of the works on the Intercolonial railway, which, we were once told by a leading member of the administration, for



would be completed within three years after Confederation. We are now in the sixth year of our existence as a Dominion, and even the section now in use from Truro to Moncton is only partially completed and hardly safe for travel. In passing over this portion of the road lately I had an opportunity of experiencing some of the disadvantages of the notorious "Grecian Bend," at the Folly Mountains, an appropriate name for the locality of the great blunder, or something worse, at the public expense, not for the public benefit, but likely for the benefit of somebody's coal mine. The least fall of snow renders the road impassable for days. I was myself detained forty-eight hours on my way to this place from this cause. The road was opened for our train after great difficulty, and the train following ours a few hours afterwards, merely from the disturbed drifts, was blockaded in seven feet of snow. This I learned on arriving at Moncton. It is said we are promised a similar mistake in connection with the line of the Bay Verte Canal if we do not profit from our experience.

Then, with regard to the admission of Prince Edward Island into the Union, why is Parliament kept in the dark, while we are informed by telegraph that the legislature of that colony has been dissolved with the view of submitting this question to the people? If new terms of union have been agreed upon, is the question not of sufficient importance to deserve a paragraph in the Speech from the Throne? Must we be content to take the information at second hand from "the tight little island?" I sincerely hope that terms have been concluded that will prove satisfactory to the people of that colony and meet the approval of this Parliament. (Hear, hear.) But why all this mystery where everything should be frank and open? I am exceedingly desirous of seeing all the Maritime Provinces members of this great confederation, and hope the conditions agreed upon will prove just to all the parties interested.

Again, after all the delegations and negotiations for "better terms" to New Brunswick has the Government no policy on that question? Does the ministry intend to surprise our neighbours by an unexpected act of grace and liberality before the close of the Session, or has their claim been quietly ignored? I leave it to my hon. friends from that Province to elicit the information as best they can. I will not detain the House any longer, but I was not disposed to allow the Address to pass without these

general remarks on the policy it foreshadows, or ought to foreshadow. I consider this the proper time for such remarks, and do not agree with gentlemen who think we should have no discussion on the Address. The practice of the British Parliament—and more especially the practice of our colonial legislatures is contrary to that doctrine. When the several subjects alluded to are submitted to this House in detail, and the necessary information regarding them is placed before us—I shall, with no hostile feelings towards the Administration, be prepared to give them a fair and friendly consideration. (Cheers).

Hon. Mr. WILMOT—I have listened to the speech of the hon. mover of the resolution with much pleasure. I noticed, however, that in his remarks he first regretted that the subject of the Caughnawaga Canal had been omitted in the message of His Excellency, and afterwards, he concluded that the Bay Verte was a scheme which might wait a little longer. It seems to me that the people of the west of the Dominion have little regard for the interests of those at the east. I hope I shall not be classed among the parish politicians which an hon. friend speaks about, if I venture to suggest that the Government ought to have a little more regard for the poor people, the poor fishermen to the east of them. At the time of Confederation it was concluded that this body should be the place where the interests of the Maritime Provinces could best be protected, because these Provinces have equal representatives in the Senate with the larger Provinces, but I think that it is in another House that our interests will have to be most earnestly advocated. I bring this matter up here because I wish it to be known that I hope the Representatives of New Brunswick in the House of Commons will insist upon it that New Brunswick shall get justice from the Dominion. The government have been placed in possession of information, statistical information, showing that New Brunswick entered Confederation a prosperous Province. They have evidence to show that every year since confederation that Province has been unable to meet its ordinary expenditures, and are now some \$50,000 short, while they have also statistics showing that New Brunswick has contributed during those years a greater proportion, *per capita* of the indirect taxation of the Dominion than any other province in it. Now, gentlemen have advised us to economize, to introduce municipal institutions. Well, New Brunswick has the same institutions now that she had

before confederation, when her finances were in a flourishing condition. The change is entirely due to the unfavorable, unjust terms on which New Brunswick entered confederation. While Lieutenant Governor Wilmot, in his speech at the opening of the Provincial Legislature, has made the question of justice to New Brunswick the principal feature, and the people of that Province are unanimous in demanding it, I regret to see that His Excellency's speech from the Throne has not contained one word in reference to the subject. Even at the risk of being called a "pariah politician" I call upon our representatives in the other House to demand and insist upon justice being done to our Province. When this confederation was first arranged at Quebec, the Maritime Provinces, consisting of Nova Scotia and New Brunswick, were treated as one. Afterwards delegates, of whom I was one, went to England, where changes were made in the Quebec scheme, and here the Maritime Provinces were again treated as one. Whilst I quite agree that it was only proper to make concessions to Nova Scotia, whilst I advocated that measure, at the same time I stated that I thought it was a matter of injustice to my own Province that it was left out in the cold. As to the matter of Senatorial appointments to which reference has been made, I may say that I am quite sure that the hon. gentlemen who moved and seconded the Answer, will be great additions to this body. I am glad to welcome a brother farmer like myself to this House. I must say, however, I have noticed for some time past that the principle laid down at the time of the Confederation, and stated in a despatch from the Secretary of State for the Colonies, with reference to the selection of members, has not been adhered to by the Government.

Hon. Mr. CARRALL said it was quite evident the members from the East were quite competent to protect their own interests.

The Answer to the Speech was then passed unanimously, and the House adjourned.

TUESDAY, March 11th, 1873.

The SPEAKER took the chair at three o'clock.

After presentation of petitions, Hon. Mr. CAMPBELL laid on the table list of Standing Committees of the Senate; Hon. Mr. AIKINS introduced a bill respecting claims to lands in Manitoba for which no patents have been issued.

#### MINISTERIAL EXPLANATIONS.

Hon. Mr. LETELLIER DE ST. JUST thought it was only due to the House that the Government should give it some explanations with respect to the changes which have recently occurred in the personnel of the Cabinet. For instance, the Minister of Finance and the Receiver General had resigned their portfolios, while the Minister of Marine and Fisheries had vacated his seat in the Senate. On this occasion he would refer to the fact that whilst the Post Master General had deprecated as improper any delay in proceeding with the Answer, such delay had occurred in the other branch at the instance of the Government—a discrepancy which he would like explained.

Hon. Mr. CAMPBELL regretted the absence from the Senate of the Hon. Mr. Mitchell, whose services, however, were not lost to the Government inasmuch as he had taken a seat in the popular branch. His Department had large annual expenditures to make, and it was advisable in many respects that he should be present in the branch which had direct control of the finances. The late Finance Minister, to whose great financial ability every one would bear willing testimony, had resigned, to the regret certainly of his colleagues, on account of the state of his health, and the consequent anxiety of his family that he should give up very active work. As to the preponderance of Ministers in the Commons, gentlemen possessing liberal opinions like the hon. gentlemen opposite could not properly find fault with the Government on that point. With reference to the discrepancy of opinion to which the hon. gentleman had alluded, it had arisen from one of those mistakes.

Hon. Mr. LETELLIER DE ST. JUST.—Which will occur in the best regulated Ministries. (Laughter.)

Hon. Mr. CAMPBELL—Yes; this is one of the best regulated Ministries. The explanation on this point was of a very simple character; when they had arrived at a certain stage of business yesterday, in the lower branch it was supposed that the order of the day was exhausted, and the attention of the Premier having been temporarily distracted from the proceedings, it accidentally happened that no motion was made in reference to the answer to the Address.

Hon. Mr. CHAPUIS stated that immediately after the close of the last session he had decided, on personal and private grounds, to withdraw from the Government, and informed his colleagues of his intentions; but, nevertheless, he was induced to remain in office for some time.

At a later period he decided to withdraw from the Government for the same personal reasons; and more than that, he had thought it in the interests of the party to which he belonged, that it was of the greatest importance that, in the absence of Sir George Cartier—whose illness every one deplored—a second member for Quebec should have a seat in the popular branch.

Hon. Mr. MILLER alluded to the fact that out of a Cabinet of thirteen Ministers, there were only two heads of departments in the Senate, and both represented Ontario, while five provinces were ignored altogether. Although it was certainly desirable that a large majority of Ministers should be in the Lower House, still a just representation should be continued in the Upper branch of the Parliament. All this shewed the lessening weight and influence of the Senate, but, after all, it was only a continuation of the treatment meted out to that body for the last four or five years. Gentlemen must have perceived that there is a desire on the part of the Government to dwarf the influence of this body, and increase the power of the other branch of the Legislature at the expense of the former. (Hear.) He considered this a most unfortunate state of affairs at the present juncture, when we are only developing or working out our constitution, which is of that delicate nature that it cannot unfairly be tampered with. That constitution was a system of checks and balances, and any injustice done to any one branch of Parliament must operate to the injury of all and weaken the whole system. But there was another aspect of the question to which he must refer, and that was in reference to the coalition character of the Government. All were aware that the Liberal element had been represented by Mr. Ferguson Blair, Mr. Howland and Mr. Macdougall. Changes subsequently took place, leaving out two members of the Reform party, and it was at this time a question whether the present Secretary of State (Hon. Mr. Aikins) could consistently with his duty to his party enter the Cabinet with only a single colleague belonging to that party. Now that same hon. gentleman was quite content to remain in the Government, although he stood alone, and the Finance Minister—whose acceptance of office had largely induced him, according to his own admission, to go into the Cabinet—was no longer in the Administration. Now he stood in the Cabinet like "the last rose of summer left blooming alone," and it might be appropriately added, with "his lovely

companions all faded and gone." (Laughter.)

Hon. Mr. WILMOT said that the ground on which he objected to Ministers being removed from the Senate was because he considered that body the guardian of the interests of the Maritime Provinces, inasmuch as they are equally represented with Quebec or Ontario. He was not prepared to approve of any course that might dwarf the influence of a body where those smaller provinces possessed a representation which was intended to protect them in case of their interests being overlooked or trampled upon in the popular branch. He did not, under such circumstances, wish to see the Senate become a mere make weight—a mere echo of the House of Commons.

Hon. Mr. CARRALL felt obliged from a sense of duty to join his remonstrance to that of other hon gentlemen, against any policy that might have the effect of lessening the influence and authority of the Senate. He hoped there was no conspiracy to bring about such a result, but if there was he must oppose it from whatever quarter it might come. The Government had just committed the *coup de grace* by eliminating two of the ablest members of the Senate. He regretted to see them pursuing a policy so detrimental to the public interests. The Senate must certainly meet for some other purpose than to be made a mere ornamental and useless appendage to the House of Commons. He objected entirely to having only two Cabinet Ministers in the Senate, however capable those gentlemen might be.

Hon. Mr. LETELLIER DE ST. JUST said that he objected on true Liberal principles to the course pursued by the Government in reference to the Senate. The two political parties should be represented with justice, in the next place there should be a fair representation of the Cabinet. This, however, was a Conservative Government in every way. He could not in view of that fact expect it to pursue a policy in consonance with those Liberal principles which he believed are approved by the great majority of the people. He did not think the reasons given by the Receiver General for his resignation were the true ones; he believed that both that gentleman and the late Finance Minister left because they knew they did not possess the confidence of the people. (Hear, hear.)

Hon. Mr. AIKINS would only occupy the attention of the House for a single moment whilst he very briefly referred to some remarks which had fallen from gentlemen opposite with respect to his

position in the Government. He could tell the hon. gentleman (Mr. Miller) that he was quite able to protect his own honour, whenever it was necessary, and justify to the country the position he occupied. No hon. member could regret more than he did the retirement of the late Finance Minister from the Government, but it was unavoidable in the state of that gentleman's health. He knew that Sir Francis Hincks possesses talents of no ordinary kind, but still the country and the Government would not lose them whilst he was able to remain in the Commons and give it the benefit of his assistance. As respects his own position, he thought the hon. member might have made out a case if all the places in the Cabinet were already filled up by Conservatives. It would be just as well to wait and see the vacant place filled up before indulging in such criticism as some hon. members seemed disposed to do. (Hear, hear.) It also seemed to him that it would be soon enough to take exception to the fact that there were only two Cabinet Ministers in the House when it could be shown that those two were unequal to the duties of conducting the business. If any province were not represented at all in the Government than he could understand the remarks of honorable gentlemen, but as it was no one could say that the interest of every section were not perfectly safe. It seemed to him that neither Nova Scotia nor New Brunswick could fairly complain when they looked at their representation in the Cabinet in the other branch. He must enter his protest against the principle of sectional representation pure and simple, under our present system of Confederation. The double majority principle was tried for a while in old Canada, but the very gentlemen who advocated it most earnestly soon found that it was really impracticable. Gentlemen must agree with him that as long as the Government had the support of a majority of the representatives in the House of Commons, they might be fairly considered to represent the opinion of the people of the whole Dominion. His reason for entering the Government in the first instance was because he had confidence in the men who composed it—especially in the late Minister of Finance, and he saw no reason yet for withdrawing that confidence. (Hear, hear.)

Hon. Mr. MILLER regretted that the honorable gentleman should exhibit so much temper in the consideration of the question before the House. When he resented so deeply an imputation on his conduct, which no one had made, one would

naturally think there was very good reason for calling it into question. Had he exhibited so much feeling because he knew he was really vulnerable on that point. The peculiar circumstances connected with that honorable gentleman's entrance into the Government were historical facts. His position was considered at the time, a most unenviable one. Not only was he charged by his friend Mr. Macdougall with having departed from the original arrangement by which he was to go into the Government, but he was accused of having taken a course by which his friends were sacrificed altogether. He (Mr. M.) did not mean to say that Nova Scotia was not just as well off with its representation in the House of Commons, but he would say that it was not right and proper that five Provinces should be ignored while one Province had two members of the Cabinet in the Senate. Much force undoubtedly lay in the remarks of the hon. member from Fredericton (Mr. Wilmot) that the Senate was the guardian of the interests of the Lower Provinces, and under such circumstances he, as a member from that section of the Dominion, felt deeply aggrieved at any policy which would diminish the influence of the body. Lessening the Governmental representation in this House had that effect and should therefore be condemned.

Hon. Mr. LETELLIER DE ST. JUST said that there was an act passed during the first Session giving to the Senate all the powers, privileges and immunities that were exercised by the Commons, and that act consequently extended the power of the body to a much greater degree, in his opinion, than was generally supposed.

Hon. Mr. WILMOT thought that might give the Senate the right to initiate money measures.

Hon. Mr. MILLER said that no lawyer would give such an interpretation to the act under our constitution.

Hon. Mr. LETELLIER DE ST. JUST went on to say that there could be no doubt whatever that the diminution of Cabinet representation in the House lessened the influence and dignity of that body. Had there been four Ministers in the House they would hardly have taken the responsibility of selecting a Speaker from the House of Commons. That had been done once, but twice was really too much. He had not a word to say against the gentleman who now filled the chair; he had a high opinion of his ability; but still he must object to the practice of the Government in such cases, as contrary to the feeling of the House.

Hon. Mr. CARRALL said that he had not a word to say with respect to the present Speaker of the Senate except what was in his favor. Everyone recognised his high ability, but at the same time, he (Mr. C.) must confess that the Government had not exhibited that regard for the House which ought to have been shown by them in all such matters. He was curious to know if the Government proposed to make the Senate a magnificent sort of mausoleum, in which moribund politicians might be decently interred from time to time. (Laughter.)

Hon. Mr. CAMPBELL said that no definite rule could very well be laid down with reference to the number of Cabinet Ministers in the House. He thought that if four out of the thirteen Ministers could occupy seats in the Senate, it would be very desirable, but it was impossible to manage that always. It had been more than once a matter of complaint that there were too many members in the House, and that fact had been adduced as a sign of the weakness of the Government. Whilst the Provinces were fully represented in the Commons it became a matter of less consequence whether there were two or four Ministers in the upper branch. As to the remarks made in reference to the Speakership—and he was gratified to find everyone bearing testimony to the ability of the present occupant of the chair—it must be remembered that that appointment would naturally depend on a variety of questions affecting the position and management of the Government. In the course of the discharge of their public duties there may be reasons inducing them to go outside of this House. Since Confederation was formed several new Provinces had come in, and others were expected, and so it might be advisable eventually not to augment the Ministry so as to give representation to all the sections, but to make the Speaker of the Senate a member of the Cabinet. We must certainly, ere long, give up the idea of having all the different sections and provinces represented.

The question then dropped.

The House adjourned until Thursday, at 3 o'clock.

THURSDAY, March 13th.

The SPEAKER took the chair at three o'clock,

Hon. Mr. AIKINS introduced a bill with reference to land in Manitoba and the office of the Secretary of State for the Provinces. Ordered for a second reading on Tuesday next.

THE MARITIME RAILWAYS.

Hon. Mr. BOTSFORD said that the matters to which he was about to allude were principally interesting to the people of the Maritime Provinces, but still he assumed they were none the less important in the estimation of the Government. During the past two years it has been notorious that the accommodation afforded by the European & North American Railway was not such as to give satisfaction to persons engaged in trade. As a natural result of railway construction, local manufactures had sprung up along the route, but in consequence of the deficiency of the rolling stock on the line in question the parties who had expended their money in the expectation that they could have their produce taken to market without delay have been grievously disappointed. The public press of New Brunswick and Nova Scotia had frequently directed the attention of the Government to the matter, and he regretted to find that these remonstrances had not yet received the consideration to which they were entitled. As respects the accommodation afforded to the travelling public, its insufficiency was evident to any one who had the misfortune of travelling over it in the winter. Last year, from motives of economy, no sufficient expenditure was incurred for the locomotives that are necessary for transporting passengers on that road. Engines which had been run during the summer, and were entirely out of order, were the only ones relied upon for the traffic during the winter, and as it unfortunately happened this had been a very severe season, and there had been consequently a great interruption of traffic as well as detention of the mails. The postal accommodation had been more irregular during the past year than it was even during the time when the mails were carried by public stages. In some instances, the bags had been carried past their proper destinations, and only brought back after a great deal of most injurious delay. It was not necessary to have a full enquiry by a committee into the subject; the facts were so patent to everyone that the Government were bound to look into them at once. He had known the English mail delayed at Amherst for three days when in six hours they could have been carried to Moncton. Of course in cases of snow storms allowances must be made, but even then the authorities on the road ought to be prepared to meet such difficulties with some prospect of success. He had known a case where the regular mail train was kept at Monc-

ton for three hours, and no one knew or would explain the cause of the detention. Similar delays, in his own experience, was frequent at all the stations, and yet no one explained the reason. The hon. gentleman went on to describe the experiences of himself on his way to Parliament; the inexplicable delays at stations, and the unsatisfactory system of running the trains along the line. When the conductors at last thought it necessary to make up for lost time they pushed forward at a rate which was positively unsafe—at the rate of 40 miles over a very imperfect road. Then the train got off the track, and they were thrown down a precipice, and some persons were severely bruised, and all this happened because the conductor went at so unsafe a pace. The Intercolonial Railway, he contended, had been unfortunately located between Amherst and Truro. The road had been unnecessarily lengthened by some two and a half miles, and a cutting had been made in a place where the snow most always lodged. He was not therefore disposed to throw all the blame for the delays between Halifax and St. John upon the conductors, for a great deal of difficulty arose from the location of the road. If this state of things was to be continued, it was better to go back and establish the old coach system as respects the postal accommodation in the winter season. During the year fourteen days had elapsed without postal accommodation between Halifax and St. John. With these observations he asked leave to move that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to direct that an immediate and full investigation be made into the management and working of the European and North American and Intercolonial Railways, between St. John and Halifax, in order to secure a more safe and regular transport of the mails, passengers, and freights over the said railways.

Hon. Mr. DICKEY seconded the motion.

Hon. Mr. CAMPBELL said that the fullest attention would be given to the statements which the hon. gentleman had made from his own knowledge. Of course, in criticizing the management of the railway, he must remember that the communication between Halifax and St. John had only very recently been opened up, and it was inevitable that difficulties should occur at the inception of the undertaking. Every one must ad-

mit that the experiences of the hon. gentleman were after all only such as most persons had met with when obliged to travel during our Canadian winters. Mr. Carvell was the manager of the line to which the hon. gentleman especially referred, and he was chosen because of his recognized experience and ability in connection with railway management. Whether he had been doing his duty fully would of course be a proper subject of enquiry on the part of the Government, for all that they wished was to secure every possible accommodation for the public. It is quite possible that these roads would be better managed if they were in the hands of private individuals. He hoped that they would be so managed in the course of time. As to the delays mentioned by the hon. gentleman, they were not inexplicable; he had been frequently detained in the same way on the Grand Trunk and Western railways; but still he thought every information on the subject should be given to travellers. With respect to the improper location of the route of the Intercolonial in Nova Scotia, it had been done by competent engineers and supervised by Mr. Fleming, to whose ability all would bear testimony. Whether an error was made or not he could not say, but he knew that the Government had been guided by the reports of the engineer. Before coming to any conclusion on the subject it was only just to ascertain what was to be said on the subject by the engineers who are responsible for the location of the line.

Hon. Mr. LEVELLIER DE ST. JUST said that he wished his hon. friend would include in his motion the management of the line from Riviere du Loup to Trois Pistoles. This section had been only very recently opened, and yet nothing had been done to secure the accommodation of the travelling or business public. He found on that part of the line no sufficient shelter, and the officials unable to give the information required. Some farmers came to a station, and were obliged to tumble their produce wherever they could. As to the location of the road to which reference had been made he knew there had been changes since the Engineers had located the route; and that had been done for electioneering purposes. A Committee of the House, three sessions ago, had enquired into such subjects, but the report was not received on the plea that it was too late in the session. It was, of course, to be expected that difficulties would arise at times on account of the heavy falls of snow. It was singular, however, that the Grand

Trunk, between Riviere du Loup and Quebec, was kept free when other portions of line were blocked up.

Hon. Mr. FERRIER explained that the company had especially provided against heavy snow storms on that section, and consequently it was kept more free than other parts of the line. As respects the section mentioned, he believed it was somewhat prematurely opened at the urgent request of the people, and under such circumstances it was not strange that no station had been provided.

Hon. Mr. ROBERTSON said that it was not fair to Mr. Carvell to blame him for all the difficulty that had arisen. He had been hampered from the want of funds to carry on the railway as he wished. He (Mr. R.) knew of his own knowledge how desirous that gentleman was of doing his best for the public. He was confident that there was not a piece of railway in North America that was better laid than that between St. John and the Bend of Petitcodiac, and the only trouble in keeping it in perfect order was the want of sufficient funds at the command of the Manager.

Hon. Mr. ODELL said he would after what had fallen from honorable members say a few words on the question. The Hon. Postmaster General had spoken of the delays which had occurred on the Intercolonial as being only delays of an ordinary character, incidental to the winter season, but he would remind the honorable gentleman that the delays complained of were not delays of hours, but of days, not days alone, but days and nights, and were reaching into weeks. He could not accept the argument of an exceptional winter as at all satisfactory. The nature of Canadian winters was well known, and its exigencies ought to have been provided for. The Hon. Postmaster General had stated that the road was entitled to consideration on the ground that it was a new road, but that was not the case. A portion of the road had been open for quite a length of time. His opinion was that the real reason of delays and inconvenience on the road was that the Government had made a mistake in locating the line. For some reason or other the road had been diverted from the course recommended by the engineers, perhaps to suit private interests. The road was run through a country where deep cuttings had to be made, and where the snow by filling these cuttings up continually impeded the progress of traffic. He himself, a short time ago, on going over the road found the train stopped by drifts near Tiuro. The road was after some work

cleared, but he had objected to leaving his quarters at two o'clock in the morning when the train started, and he determined to wait for the next train, and on meeting the same cutting the next day, they found it filled up again, though no snow had falling on the mountain. At Folly Lake he met with another delay, and the journey on the line altogether occupied from Monday to Saturday. He attributed these irregularities altogether to the great error in diverting the road from its proper course to gratify private interests. A portion of the route was found utterly useless, and would he supposed have to be roofed in. Another reason which gave rise to a great deal of this complaint, was he allowed, that the railway was not able to command sufficient funds. He had learned from actual observation in going over the road that the men employed to clear the track were overworked. During one of his detentions he found that the gang of men employed in shovelling the snow had been on duty for two days and two nights, and one of them informed him that his feet had been wet for five days. Their pay was but \$1.20 per day, and with that remuneration even they were taken away from their villages, where they might enjoy some portion of comfort, and detained at the drifts for days, under an extra expense, and without any more than ordinary remuneration. He was satisfied that the employees of the line did their duty, and the fault did not properly lay with them. The fault was that the road was not possessed of sufficient funds to maintain efficiency, nor to pay these men adequately. He trusted that while the matter was under consideration, Government would make provision for the better remuneration of the servants of the road.

Hon. Mr. MACFARLANE said that there was no doubt that the section of road of which his hon. friend complained was very far from giving satisfaction to the public at large. It was only necessary to look at the files in the reading room to see that the latest Halifax date was as far back as the 4th of March. It must be remembered, however, that the road was opened before sufficient accommodation had been provided, and it was thought this season would be comparatively mild inasmuch as the last had been so severe, but as every one knew the reverse was the case. Similar difficulties were always occurring on older roads. He had travelled through the State of Maine and been detained for several days. The Intercolonial Railway, in his opinion, would be a most substantial structure—one that would reflect

credit on the country. (Hear, Hear.) Unfortunately the section of the road between St. John and Moncton was badly off for rolling stock at present, and under all the circumstances he believed the motion of his hon. friend was calculated to do good.

Hon. Mr. DICKEY said that it was quite apparent that a grievous mistake had been made in the location of the line around the Cobequid Mountains, and that a shorter and less expensive route could have been chosen, and in fact was recommended by engineers. Both sides had been right with respect to the location of the line. The original line was rejected because it had to run through an enormous cutting of rock, and the line adopted was recommended by Mr. Fleming as a substitute. But it must be remembered by the Postmaster General that strong objections was urged against that line by persons of equal eminence as engineers—Captain Tyler for instance. This was not the first time he had expressed himself on this subject, for his opinions were on record among the public documents of 1868. He must say that a better and a shorter line could easily have been found—one which would also have the effect of tapping the mineral traffic of the county. He thought, as respects the working of the railway, there was too much red tapeism; whatever was done had first to be referred to Ottawa, in fact, there was altogether too much centralization. If additional cars were wanted, reference must be first made to Ottawa; a train could not go out of a station without word from Moncton. He hoped steps would be taken to give the public more accommodation—especially for the transport of the mails. After waiting recently for a week without communication with Halifax he had taken the liberty of sending a telegram to the Post Office Inspector at that city, suggesting that he should allow the railway to take care of itself, and go back to the ordinary coach conveyance. The Inspector, acting with his usual courtesy, adopted the suggestion, and the mails were consequently sent five or six days in advance of the train.

Hon. Mr. FERRIER said that what looked like red tapeism was really necessary for the public security, and there was no railway of any length on the continent but was managed by an individual sitting sometimes two or three hundred miles distant. He illustrated this fact by reference to his knowledge of the working of the Grand Trunk.

Hon. Mr. CAMPBELL said that he was glad to hear his hon. friend make such explanations as they showed the necessity of one central management. He would,

however, mention all the facts to the Minister of Public Works, who would certainly do all that was possible under the circumstances.

Hon. Mr. WARK said the difficulties of the road were the result of jobbery and scheming in connection with its construction, and the sacrificing of the interests of the road to private advantage. He did not think the depth of snow during this winter had been exceptional, and they might expect this sort of thing to go on for all time to come. As to roofing in the cuttings as a means of obviating the difficulties, that would not do. It would be too dangerous a proceeding, as the roof might break in, as did the roof on the Pacific, and a train consequently would be liable to great disaster. He thought the Government might take into consideration the advisability of pulling up the line, taking up the ties and rails, and removing it to a route which ought to have been chosen at first. Government had not adhered to the recommendations of the engineers in building the road, and he believed that the road as built was not the road as recommended by Mr. Fleming. The Government would have to take the direct responsibility for all the mishaps of the road, as they had changed the route in New Brunswick from an open country with a population of 20,000 to a wilderness of swamps and barrens where there was no business to feed a railway. The Intercolonial was taken out of its proper course and carried over an elevation five hundred feet higher than that traversed by Major Robinson. The Hon. Postmaster General had expressed the hope that a private company would undertake the control of the road, but he believed that no individual or company would ever be induced to take the road with its present disadvantages. He was of opinion that the only remedy for the Intercolonial difficulties is for the Government to change the route, to take it from the hills where the trouble was experienced, and place it through the open accessible country where it ought to have been constructed at first. This was not the first time he had expressed this opinion. They would find in the records of the House that he had warned the Government before the road was commenced that they were making a mistake, and he thought circumstances proved that the country would have profited had his advice been taken.

Hon. Mr. DICKEY acknowledged the necessity of central management but the local authorities should have more discretion to deal with matters of minor importance—such as the removal of snow, &c.

The Address was then formally passed.



## JUDGES' SALARIES.

Hon. Mr. MILLER said that the question to which he wished to call the attention of the House was one of great importance to the Province of Nova Scotia. The Equity Court was presided over by a judge—the only one in that Province—a gentleman of high attainments and unspotted character; but for some years his health had been very delicate, and obliged him to go to Europe. The duties at present were discharged by another member of the Bench, on the Common Law side. The opinion prevailed in Nova Scotia that this learned judge, in leaving the country, desired to retire from office; but it is understood generally that he was induced to alter his decision for some reason or other. Lately, within two or three months, it was announced from the Bench of the Supreme Court of Nova Scotia that the learned judge had actually resigned his office, but still no appointment had yet been made. It was a matter of complaint on the part of the Bar and the public that the Equity cases were in a very deplorable condition. If there was a vacancy at the present time it was desirable that the Government should lose no time in filling it up. He did not presume that political considerations were influencing them in this matter, for the gentleman to whom the Bar pointed unanimously was Judge Ritchie, formerly a leading member of the Senate. Of course, that appointment would leave a vacancy which might create some difficulty. As respects the other matter, it was one to which he had called attention several times. Not having any personal aspirations in the direction of the Bench, he was able to speak more freely than other legal gentlemen, whose advanced position and years might open them to some charge of self interest. They had in Nova Scotia on the Bench two gentlemen who had done good service in their day, and who possessed a high character in the country, but they were now getting old and physically infirm, and they considered they were being unjustly treated by the Government with respect to their allowance, and the pension that would be based thereon. He believed one or two of the Judges would retire if their salaries were equalized with those of the same class in the other provinces. Under existing circumstances, it was impossible that legal business could be satisfactorily transacted. Besides, this was looked upon, and very justly, as an unfair distinction between the Benches of the several provinces. He considered they had in Nova Scotia a Bench, which, in point of talent, and integrity, and in-

dustry, would compare favorably with any in the Dominion. With these remarks, he asked leave to enquire of the Government:

1st. Is there a vacancy in the Superior Court Bench of the Province of Nova Scotia, and, if so, how long has such vacancy existed?

2nd. Is it the intention of the Government to recommend to Parliament, during the present session, an equalization of the salaries of the Judges of the Superior Courts in the several provinces of the Dominion?

Hon. Mr. CAMPBELL was satisfied that the subject to which the hon. gentleman referred would receive the attention of the Minister of Justice. In answer to the first question he would say that there was no vacancy at present in the Supreme Court; but he would also add that the Judge to whom he referred, Judge Johnson, was on leave of absence, which lasted until the spring, when he is either to resign or go back to his duties. With reference to the salaries of the judges, he sympathised very much with the remarks made by his hon. friend. He hoped during the course of the session to be in a position to give a satisfactory answer on the subject, but in the meantime he could only say that it was under consideration.

Hon. Mr. MILLER said this was the nearest approach to an answer that he yet had.

The House then adjourned.

FRIDAY, 14th March.

The SPEAKER took the Chair at three o'clock.

## PUBLIC PRINTING.

Hon. Mr. AIKINS laid on the table a return respecting the distribution of the Statutes.

Hon. Mr. MILLER referred to the very great inconvenience suffered by the people of the Maritime Provinces in consequence of the lateness of the date when they received the Dominion Statutes—as late as November or December last year, and when both the Courts of Nova Scotia, which meet in the spring and the fall—had passed over. For instance, there had been small pox prevalent throughout the Province, and still the quarantine law was not in the hands of the proper authorities. He did not know where the blame rested, but he thought certainly much improvement ought to be made in this particular hereafter.

Hon. Mr. AIKINS said that of course there had been some delay on account of the very large edition that had to be got out. The more important Acts were published, immediately after the rising of Parliament, in the *Canada Gazette*. The Minister of Agriculture had also circulated the Quarantine Act in pamphlet form.

Hon. Mr. MILLER—I never saw it.

Hon. Mr. AIKINS—It had always been found difficult to circulate the statutes rapidly in Quebec and the Maritime Provinces. In Ontario they were sent to the Clerks of the Peace and distributed by them to the Magistrates. In Quebec, however, they were sent to the Magistrate directly, and copies were constantly duplicated. In the Maritime Provinces they were sent to the Provincial Secretary. In this way much delay occurred.

Hon. Mr. LETELLIER DE ST. JUST also complained that the French copies had only been received by him just before he came up to the House.

Hon. Mr. OLIVIER made a remark to the same effect.

Hon. Mr. AIKINS said that so far as his department was concerned no delay had taken place, but the laws had been placed in the contractor's hands as soon as possible.

Hon. Mr. MILLER said that the Government should look after the contractor.

Hon. Mr. AIKINS said that the printer had suffered from strikes and other difficulties which, of late, had met so many employers. The printing has been done in a very satisfactory manner.

Hon. Mr. SIMPSON said he had had a good deal to do with the public printing during the last thirty years, and he was in a position to give some information on the subject. He was not by any means an apologist of the Government, but he did not see in what way the Government had any responsibility in the matter. The contract of printing was made with the Joint Committee on Printing, composed of members of both Houses, and he contended that the Government had no power to interfere. The contractor had a good many difficulties to contend with in his work, and it was probably to that the delay was owing. He (the Speaker) had opposed the awarding of the contract to Mr. Taylor originally, because he did not believe the man had the means and was not strong enough to fulfil it. He had assured the committee, however, that he would obtain proper facilities for the execution of his work, and had given securities for the due performance of it, for \$8,000, and as his tender

was lower than any of the others he had got the contract. So far as the work was concerned, he believed that up to a certain period it had been very well and satisfactorily done, but he found himself unable after a time to go on with the contract. He had relied upon getting double composition, or double pay for one composition, and the committee, he thought, most righteously refused to grant the double composition. The matter had been taken into the courts to test the legality of it, and the judges had decided that the contractor was not entitled to double composition. He then appealed to the clerk of the printing committee, Mr. Hartney, and Mr. Hartney had advised him to address the government. The government had afforded him a certain measure of pecuniary relief, and he thought they were justified in doing so. He had not been consulted in the matter, but he was aware that Mr. Taylor was seeking relief from the government, and he had advised them to grant a measure of relief. He knew as matter of fact that the contractor had been for a long time losing at the rate of thirty cents on every dollar's worth of work done for Parliament. His contract allowed him 17½ cents per thousand for composition, and was compelled to pay 30c to his printers for the same work. He found, of course, that he couldn't go on. He had taken the contract at a foolishly and ruinously low rate. Wages and material had increased in price, and a strike among the workmen had destroyed his operations. He had done the best he could; had gone to England and imported printers to go on with the work, but he (the speaker) knew that Mr. Taylor had actually had to sell a large portion of his private property to carry on the work. In this emergency, the contractor found himself unable to go on. He could not furnish means to pay his workmen. The men threatened a strike in the office, and the contractor had appealed to the government for the aid which had been given him. Under these circumstances, and as he said before, he did not speak as the apologist of the government. He thought they were perfectly justified in granting relief. The matter would likely come up before Parliament as he (Mr. Simpson) was aware that Mr. Taylor had given notice to the clerk that in a few days he would suspend operations altogether. It was quite clear that these circumstances and not the government were responsible for the delays that hon. gentlemen had complained about.

Hon. Mr. ROBERTSON said that the remarks of the hon. gentleman certainly

relieved the Government from a large measure of responsibility. The fault, as he understood it, lay with the Printing Committee, who had entrusted the work to a person who was unable to perform the work satisfactorily.

Hon. Mr. MILLER said that he could not understand how one rule was applied to a contractor in Ontario, and a different one to a contractor in Nova Scotia. Here relief was given to a man in an embarrassed situation, while in the Maritime Provinces a man was crushed down, and received none of the same consideration. He did not find fault with the Government for the course they had pursued in connection with tenders and contracts; but he did not wish to see any favoritism.

Hon. Mr. SIMPSON said that Mr. Taylor had certainly made every exertion to keep his engagement—even going to the extent of sacrificing private property. Messrs. Hunter & Rose, of Toronto, were getting at least 25 per cent. from the Government of Ontario more than the contractor in question, and they too were coming upon the Government for an additional allowance.

Hon. Mr. LETELLIER DE ST. JUST said that the Government must be considered more or less responsible inasmuch as they appointed the Committees and controlled the House.

Hon. Mr. CAMPBELL said that the blame to be attached in this matter rested equally upon all of them. Members of the House were themselves the means of creating the fault. It was the too far-stretched economy which was responsible for the evils complained of by the hon. gentleman from Richmond. Clearly the Government was not to blame in the matter, and after the very able manner in which his hon. friend on his left had demonstrated this, he would not occupy the time with saying anything more about it. The fact was, that in all large contracts in railways and printing, the only reliable security for the work being properly fulfilled, was to pay for it what it was really worth. He agreed with his hon. friend as to the importance of the matter, and no doubt, now that the matter had been brought up, an effort would be made by the printer to have the statutes out earlier. So far as the Government were concerned, they were quite as anxious as any one that the statutes should be out in due time. In order to prove this he need only to read the headings of laws, which had been published from time to time in the *Canada Gazette*, in order to lose no time in placing them before the country (a number of

which the hon. gentleman then read.) The printer must take the responsibility of the delays of which the hon. member had complained.

After some further remarks from Hon. Messrs. MILLER, AIKINS and ROBERTSON, the matter dropped.

The House then adjourned.

MONDAY, 17th March.

The SPEAKER took the chair at three o'clock.

Among petitions was one presented by Hon. Mr. Ferrier, from nearly 5,000 inhabitants of Quebec in favor of a Prohibitory Liquor Law.

#### TITLES;

Hon. Mr. MILLER asked the leader of the Government in the House whether the Government of Canada had received any instructions from the Colonial Office relative to the honorary titles of the Lieutenant Governors of the several Provinces of the Dominion, since the Duke of Buckingham's despatch of July 24th, 1868, expressing Her Majesty's pleasure regarding such distinctions? In explanation of his motion he stated that he had noticed that the Lieutenant Governors of the different Provinces, with the exception of Nova Scotia, assumed both on formal and informal occasions the title of "His Excellency," though they could only be appropriately styled "His Honor," in accordance with the despatch in question. The Lieutenant Governor of Nova Scotia never assumed it whilst acting in his official capacity, though it could be used in his case by virtue of his position as Commander-in-Chief of Her Majesty's forces in the Dominion.

Hon. Mr. CAMPBELL replied that there was no despatch since the one in question, but the terms of that document were explicit that "His Honor" should be applied to the Lieutenant Governors. He did not conceive how any gentleman filling the position of Lieutenant Governor could allow himself to be addressed by any other title than that which the Queen has given him.

#### POSTAL DELIVERIES.

In answer to Hon. Mr. READ, Hon. Mr. CAMPBELL stated that it is not the present intention of the Government to establish Postal Deliveries in the Dominion, in consequence of the large expense—from \$70,000 to \$100,000,—that would be probably entailed.

## OFFICIAL RESIDENCES.

Hon. Mr. READ also asked whether the Government intend erecting official residences for Ministers at the Capital, and stated that he made the enquiry in the interests of the country for were such residences provided, Ministers would necessarily be found always in the Capital.

Hon. Mr. CAMPBELL replied in the negative; he added that such residences would be very desirable.

## STANDING COMMITTEES.

On motion of Hon. Mr. CAMPBELL, the Standing Committees of the House were adopted in accordance with the notice on the paper.

## MESSAGE.

A message was received from His Excellency the Governor General:

Honorable Gentlemen of the Senate,—I thank you heartily for your address and for the assurances of support which it contains. I rely with confidence on your assistance in my efforts to advance the interests of the Dominion.

The House then adjourned.

TUESDAY, March 18, 1873.

The SPEAKER took the chair at three o'clock.

Chairmen of Select Committees made usual formal reports with respect to number of quorum.

Hon. Mr. DICKSON, from Select Committee on Standing Orders and Private Bills, reported favorably with respect to petition from Glasgow Canada Land and Trust Company.

## WELLAND CANAL.

In answer to Hon. Mr. BENSON,

Hon. Mr. CAMPBELL stated that the report of the Government Engineer with respect to the Welland Canal had been submitted not long since to three engineers, Messrs. Gzowski, Keefer and McAlpine, who went to the site of the proposed works and examined the whole line between Erie and Ontario. They generally approved of the line adopted by the engineers of the Public Works Department, but suggested a slight deflection near the village of Thorold. Their views and arguments on that point were submitted to the Minister of Public Works, and the Engineer of his Department has made a second report as to their suggestions. The Government had not finally decided as to

the advisability of the change recommended by the consulting engineers.

The House then adjourned.

WEDNESDAY, 19th March.

Mr. SPEAKER took the Chair at 3 o'clock.

Hon. Mr. CAMPBELL introduced a bill to amend the Act to make further provision for the government of the North West Territories. Second reading on Monday next.

## COPYRIGHTS.

Hon. Mr. RYAN asked the Government whether "An Act to amend the Act respecting Copyright"—passed last Session and reserved for the signification of Her Majesty's pleasure, has as yet received the Royal assent; and if not, whether it be the intention of the Government to introduce any measure of a similar tendency during the present session of Parliament? He stated that he would confine himself to the enquiry for the present, but he would probably move a resolution calling for papers at a subsequent date.

Hon. Mr. CAMPBELL replied that the Government had not yet been informed that Her Majesty had intimated her assent or not and so far they assumed that it was not given. He was nappy to say that a despatch has lately gone to the Colonial Office which may have the effect of procuring the assent of the Crown to the Bill.

## FREE PASSES.

Hon. Mr. MILLER moved that an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a return, showing the number and names of all persons who have passed free on any portion of the Government Railways in the Provinces of Nova Scotia and New Brunswick during past two years, and by whose authority, and for what cause free passes were given to such persons. He stated that the persons connected with these railways were in the habit of showing a favoritism to their friends. It was known to many that the roads were used for private convenience. It was his intention hereafter to ask for a committee to inquire into the subject.

Hon. Mr. CAMPBELL said it was very desirable to have all the information asked for.

## MANITOBA LANDS.

Hon. Mr. AIKINS moved the second reading of the bill with reference to unpatented lands in Manitoba. He explained that its object is to settle disputed land claims by reference to a Commission consisting of the Chief Justice and the two Puisne Judges. In the old settled portion of the province there might be two thousand occupants of lands who have not received any title from any one. The period had arrived, however, when the Government is in a position to deal with the issuing of patents.

Hon. Mr. BUREAU regretted exceedingly to find that the Bill had not been printed in French for the information of many like himself who were not as conversant with English as they would like to be. He certainly admitted that the bill was a move in the right direction, but there were many details which he wished time to consider. He hoped under these circumstances the hon. gentleman would defer the bill until the following day, when it would be printed in French, and in the hands of gentlemen who would consequently be in a better position to understand its character.

Hon. Mr. SUTHERLAND admitted the general principle of the bill, and that it was very necessary. He took exception, to the fact that one provision appeared to be made for those settlers who received grants from the late Earl of Selkirk. He understood, however, that the hon. Secretary of State intended making an amendment which would probably cover the difficulty.

Hon. Mr. MILLER thought as the hon. gentleman (Mr. Bureau), admitted the principle, he might allow the bill to pass.

Hon. Mr. BUREAU again urged his objection as necessary, unless French was to be eliminated entirely from the proceedings of the House.

Hon. Mr. GIRARD said that he had only just arrived from Manitoba, and had hardly time to look over the bill as carefully as he would like, especially as it was not printed in French. He admitted that such a bill was necessary; but it would have to be carefully considered in view of the interests involved.

Hon. Mr. BOUTSFORD enquired whether it was not unusual to refer such matters to judges, who might subsequently be called upon to deal with them in a judicial capacity in case of an appeal from an inferior tribunal.

Hon. Mr. CAMPBELL explained that for 30 years in Ontario committees of the judges met twice annually for the purpose of considering claims of a similar character, and no difficulty had ever arisen in that

province, such as that apprehended by the hon. member.

The order of the day was discharged, and the second reading of the bill made the order for Thursday.

The House then adjourned.

THURSDAY, 20th March.

The SPEAKER took the Chair at 3 o'clock.

Hon. Mr. DICKSON, from the Committee on Standing Orders and Private Bills, reported favorably on petitions of Three Rivers Bank; Isolated Risk Insurance Company; St. Francis and Megantic Railway Company; W. B. Howland and others; Union Forwarding Company.

## MANITOBA LANDS.

Hon. Mr. AIKINS moved the second reading of the bill with respect to unpatented lands in Manitoba.

Hon. Mr. BUREAU, after directing attention to the important nature of the bill, went on to say that there were two points to which he wished more particularly to refer. First of all, he contended that they had properly no jurisdiction to deal with such a matter. Manitoba had the same rights as Ontario and other provinces enjoy, and it could alone legislate upon all matters affecting the civil rights and property of the people. In Manitoba, indeed, the position of things was quite different from that in Ontario. When the Hudson's Bay Company sold their rights to the lands of the North West they gave up all their claims and privileges with respect to those lands. They received a certain amount of money, and besides that, large blocks of land. Now he was informed, on good authority, that a good number of settlers at the time of the transfer of the territory to the Dominion, were owing to the Hudson's Bay Company part of the price of their land, but in his opinion it was not, and never intended by the Manitoba Act, that anything could be recovered by the company against those settlers. So much so that it is stated that they will be entitled to have their patents for such land free. The word "free" was not stated but it was certainly understood. The 18th clause, in his opinion, ought to be struck out because it is a violation of the agreement made between the Hudson's Bay Company and the Dominion Government. By that clause claims, providing they were registered, could be enforced against the half breeds who might be indebted to the Company in spite of the patents granted

by the Government. He had spoken on the subject of jurisdiction last year when the copyright bill was passed; the issue proved he was right. He thought he was equally correct in the present instance as to the principle he laid down. He approved, however, of the general principle of the measure, inasmuch as it would secure settlers in their rights; but he trusted the House would not go beyond its legitimate jurisdiction and infringe on the privileges of the Legislature of Manitoba.

Hon. Mr. AIKINS explained that some of the provisions in the bill were simply introduced to show what legislation might have to be passed in Manitoba. A despatch had been received from the Government of that Province with respect to the necessity of some legislation to settle disputed claims. Of course we had no right to impose pains and penalties, [as stated in the 8th clause], under the provisions of the British North America Act, but it was introduced here that hon. gentlemen from Manitoba might see the legislation required to carry out the measure. It was never intended to interfere in any way whatever with the rights of the Province. As to the right of the Dominion Government to deal with questions affecting lands, that was clear and indisputable. When the country was transferred to Canada we reserved to ourselves all the lands, and certainly it was within our province to say what disposition should be made of those lands. The whole object of the bill was to obtain the fullest information in order to issue patents. As to the 18th clause it could be struck out in Committee, and so might the 23rd. All that they meant was to indicate necessary local legislation.

Hon. Mr. LETELLIER DE ST. JUST had very serious doubts as to the propriety of legislation, which seemed to dictate to the Legislature of Manitoba, though he agreed as to the desirability of securing titles and preventing disputes. While admitting the principle of the bill he did not think we had any colorable pretext to lay down the mode in which lands shall be held.

Hon. Mr. CAMPBELL—If those people who now hold land wish to obtain patents, there must be some means to obtain the necessary information as to the mode in which they shall issue.

Hon. Mr. LETELLIER DE ST. JUST.—The right belongs properly to the local government.

Hon. Mr. WARK referred to the 15th clause, and said that the time there mentioned,—one month, between the decision

of the Commissioners and the issue of the Patents,—was too short, inasmuch as many of the settlers who were nomadic by habit, might be absent on the plains, and some person might step in and obtain a patent for their lands before they returned.

Hon. Mr. SUTHERLAND thought under all the circumstances the time was long enough, for such persons would generally have some one on their lands to look after them and watch their interests. The sooner the land claims could be settled, the better for all the parties concerned. He alluded to the claims of the class who had obtained grants from the Earl of Selkirk, and thought they were not protected in the bill. He also referred to the defective character of the Hudson's Bay Company's registry which has been legalized by the legislature. He was aware himself from seeing the register that the names of certain persons to whom lands had been granted by the Earl of Selkirk were not given in it at all. It was simply a transcript from a scrap book. He believed the first survey was made in 1818, and so far as he could learn the registry was not made until 1834. Therefore he considered there is some danger that these grants will not be amply covered in the bill. He understood, however, the Hon. Secretary of State would do all he could in the matter.

Hon. Mr. AIKINS said that he had followed the wording of the despatch the Government had received from the Government of Manitoba. The bill, he added, would be so amended as to cover all cases.

Hon. Mr. GIRARD said it was certainly very desirable that all titles should be quieted and disputes of every kind prevented from arising hereafter. He was quite convinced that the Government was desirous of doing all that was right and just in such matters. He had his doubt as to the point raised with respect to jurisdiction, but still he approved heartily of the principle of the measure. He hoped it would be so arranged that the judgment of the Commissioners would clear the property entirely of all encumbrance. The provisions of the bill could be carried out at a very small expense, and on the whole would be considered a decided boon to the people of the new Province.

The bill was then read a second time. The House then adjourned.

FRIDAY, March 21.

The SPEAKER took the chair at three o'clock.

After routine,

Hon. Mr. AIKINS moved the second reading of the Bill to provide for the re-organization of the Departments of the Secretary of State, and in doing so explained that it was believed the public interests would be better served if the Secretaries of State for the Provinces were abolished and a new Department of the Interior were established. As it was now, letters were continually finding their way to the wrong department on account of the public not being able to discriminate between the respective duties of the two. It was now determined to have a branch which would have charge of the lands, as well as geological staff. The Secretary of State would then have charge of correspondence of all kinds, as well as of registry, Queen's Printer's branch, and stationery office. The change would entail no additional expense.

The motion was agreed to.

The House adjourned.

MONDAY, 24th March.

The Speaker took the Chair at three o'clock.

After routine,

#### ROYAL INSTRUCTIONS.

Hon. Mr. BUREAU moved that an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House such part of the Royal Instructions as he may see fit, which have been delivered to him on the occasion of his appointment as Governor General of Canada.

The motion was agreed to.

#### STAMP DUTIES.

Hon. Mr. DICKEY asked whether the Government intend to submit a measure during the present Session for repealing the stamp duties imposed on Bills of Exchange and Promissory Notes. He expressed the hope that the Government would be able to give an answer in the affirmative as the tax is obnoxious and oppressive.

Hon. Mr. CAMPBELL replied that it was not the intention of the Government to repeal the duties in question.

#### BAY VERTE CANAL.

Hon. Mr. ODELL moved that an hum-

ble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House copies of all instructions given to Mr. Keefer, Mr. Page, Mr. Baillairge, or others, either in writing or verbally, with reference to explorations or surveys connected with the Bay Verte Canal.

The motion was agreed to.

#### DIVORCE CASE.

Certain papers were presented and formalities taken in connection with the petition of John Robert Martin, of the town of Cauga, in the County of Haldimand, and Province of Ontario, praying for an Act to dissolve the marriage with Sophia Stinson.

The motion for the reading of the petition was carried on division.

#### BILL.

Hon. Mr. RYAN introduced a bill to amend the Act incorporating the Montreal Investment Association. Second reading on Thursday.

#### THE CANADIAN PACIFIC RAILWAY.

Hon. Mr. CHRISTIE moved,

That an humble Address be presented to His Excellency the Governor General, praying that the Governor be pleased to cause to be laid before the Senate, copies of all correspondence between the Government, or any member thereof, and Sir Hugh Allan, or any person on his behalf, or any of his associates, or any correspondence with any person or persons, respecting or proposing to construct, equip and work the Canadian Pacific Railway, and stating their ability to form a company.

Copies of any agreement entered into with Sir Hugh Allan and his associates and the Government, for the construction, equipment and construction of the said railway, under the charter granted by the Governor General in Council on the fifth day of February last—Also a copy of the stock-list submitted by him or his associates, previous to entering into such an agreement.

Returns of the names of the stockholders of the Canadian Pacific Railway, under the said charter of the fifth of February last—the number of shares of stock held by each, by whom subscribed, and when, and when not subscribed by such shareholders personally, the names of the agents or attorneys subscribing the same; the amount paid in on such subscription, shewing to whom and by whom paid, to the credit of the Receiver General; also the Bank where the same is now deposit-

ed, the date of such payment, whether in cash or Government securities, and the conditions on which such deposits are held.

Also a list of the names of applicants for Stock of the Company, in reply to the advertisements of the Company inviting applications for Stock, and dated at Montreal on the eleventh day of February last, and in cases where not applied for personally, the names of the Agents or Attorneys applying for the same, the number of shares asked by each applicant, the number of shares allotted to each, the amount paid on each share so allotted, and the Bank where the same is deposited, the date of such payment, and the conditions on which such deposits are held by such Bank. And in cases where transfers of Stock may have been made, the names of the persons to whom such transfers have been made.

Also the number of shares subscribed in the Books opened for applications for Stock by the Canada Pacific Railway Company at all the Capital Towns of the several Provinces of the Dominion of Canada, in July last, specifying the number of shares applied for at each of the said Capital Towns; and in cases where the applications were not made by the applicant personally, the names of the agents or attorneys applying for the same.

Hon. Mr. CAMPBELL—The Government have no objection to bring down all papers asked for in the first, second and third paragraphs. As to the fourth paragraph the information is not in our possession; it asks for subscriptions to the stock of a private Company which the Government cannot, so far as I know, furnish. Nor have we the information asked for in the last paragraph.

Hon. Mr. CHRISTIE—I believe we only ask in the fourth paragraph what it is quite within the power of the Government to give.

HON. MR. CAMPBELL—The information asked for, if I understand the matter, is the subscriptions which were received by the present chartered Company in answer to their advertisements, since they obtained their charter.

Hon. Mr. CHRISTIE—Allotments or transfers of stock cannot be made without the sanction of the Government. The papers publish notices from the *Interim* Secretaries to the following effect:—

“Applications will be received, addressed to W. R. Baker, Esq., Ottawa, or E. Lef, de Bellefeuille, Esq., Montreal, *Interim* Secretaries of this Company for allotments of a portion of the stock of this Company which the shareholders are wil-

ling to dispose of at par. Such applications to be accompanied by a certificate of the deposit of ten per centum on the amount applied for in the banks or branch banks, hereinafter indicated for that purpose; and to be mailed on or before the seventh day of March next. Now the 3d clause of the charter provides that the shares of the said capital stock shall, after the first deposit thereof, be transferred, and no transfer made within six years from the date hereof shall be valid or effectual, unless it be made with the sanction of the Government and of the Directors, and registered in the books to be kept by the Company for that purpose. What we wish now to know is if the original stock of the Company is transferred with the sanction of the Government

Hon. Mr. CAMPBELL—We cannot give more information than we have. If the hon. gentleman wishes it we shall try and obtain the information, but we have not got it.

Hon. Mr. MACPHERSON—A certain amount of stock was allotted to each Province. On the 11th day of February advertisements were issued, calling for applications for allotments of stock. The transfers cannot be made without the sanction of the Government.

Hon. Mr. CAMPBELL—Perhaps the hon. gentleman really understands the proper meaning of the paragraph better than the mover.

HON. MR. CHRISTIE—The Government can also, I expect, obtain the information asked for in the last paragraph.

HON. MR. CAMPBELL—We know nothing whatever of the results of that effort.

HON. MR. CHRISTIE—It may be asked for.

HON. MR. CAMPBELL—We have not got it certainly, but we shall try.

HON. MR. LETELLIER DE ST. JUST—If the Government have not the information they ought to be able to get it. They are withholding it for their own purposes.

HON. MR. CAMPBELL—I call the hon. gentleman to order. I don't think my hon. friend has the right to say that the Government are withholding information for their own purposes, after a member of the Government has told the House that they will furnish all in their possession.

Hon. Mr. LETELLIER DE ST. JUST—I am not out of order as respects anything I have said. The Government ought to have the information in their hands.

Hon. Mr. CAMPBELL—That is another thing.



Hon. Mr. LETELLIER DE ST. JUST—By the third clause of this contract it is enacted that the transfer shall be valid only with the consent of the Government or Directors. If such transfer has been made, it ought to be in the knowledge of the Government, and they ought to furnish it.

Hon. Mr. CAMPBELL—When the motion was put I assented at once, and promised to give all the information we had. When my hon. friend says we are withholding information, he is out of order, for he states what is in direct contradiction to the information mentioned to the House by a member of the Government. Under such circumstances the hon. gentleman from the Grandville Division should withdraw his unjustifiable assertion. I negative it most unequivocally.

Hon. Mr. WILMOT—My hon. friend, as I understand him, expresses the opinion that it is the duty of the Government to have every possible information in their possession respecting an undertaking involving so enormous an expenditure.

Hon. Mr. LETELLIER De St. JUST.—I simply meant that it was the duty of the Government to have or obtain all such information.

Hon. Mr. CAMPBELL—If the hon. member had expressed himself in that way at the first, I would not have complained.

The motion was then agreed to.

#### THE NORTH WEST.

Hon. Mr. CAMPBELL moved the second reading of the bill to amend the Act providing for the Government of the North West. He explained that it is proposed to give the Government the power to appoint hereafter a Council of not more than 21 and not less than 7 in number. It was also proposed to allow the meetings of the Council to take place elsewhere than at Winnipeg, in accordance with the suggestion of the hon. gentleman (Mr. Girard)—from Manitoba.

The motion passed.

In answer to an enquiry of Hon. Mr. LETELLIER DE ST. JUST, with respect to want of jurisdiction in the case of the bill referring to unpatented lands,

Hon. Mr. CAMPBELL said when the bill came up in due form he would make a statement on the point. Some clauses would certainly have to be omitted.

The House then adjourned over till Wednesday.

Wednesday, March 26.

The SPEAKER took the chair at three o'clock,

After routine,

#### DEPARTMENT OF INTERIOR.

The House went into Committee, Hon. Mr. HAMILTON in the chair, and passed the Bill respecting the Department of Interior with amendments. Report received and amendments adopted. Third reading to-morrow.

#### DIVORCE CASE.

Hon. Mr. DICKEY introduced a Bill to give relief to John Robert Martin, of Cayuga. Second reading on the 16th of April. Usual formal motions were passed on division.

The House then adjourned.

Thursday, March 27.

The SPEAKER took the Chair at three o'clock.

After routine.

#### BREACH OF PRIVILEGE.

Hon. Mr. BUREAU called attention to a breach of the privilege of the House. A sub-Committee of the Printing Committee had been very recently appointed, and had held a session, of which no report had yet been made to the House. Nevertheless, to his great surprise, he found in one of the city papers a report of the proceedings of that Committee. He was in favor of the liberty of the press, but he was bound to maintain the rights and privileges of the Senate above everything else. In this connection he read from May to show the impropriety of the proceeding, and expressed the hope that it would never occur again.

Hon. Mr. CAMPBELL said that he was entirely ignorant of the circumstances alluded to.

Hon. Mr. MILLER and Hon. Mr. BOTS-FORD also called attention to what was a grave offence against the rights and privileges of the House, and hoped that the disapprobation with which the proceeding was viewed would prevent similar occurrences in the future.

#### THE INTERCOLONIAL RAILWAY.

Hon. Mr. MILLER moved that an honorable address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a return, showing the tenders received, the names of the

parties making the same, and their securities for track laying and ballasting on the following divisions of the Intercolonial Railway, pursuant to notice given by the Commissioners of the said railway, dated November 30th, 1872: viz:

No. 1—On Sections 3, 6, 9 and 15, a distance of about 78 miles.

No. 2—On Sections 18, 10 and 20, a distance of about 46 miles.

No. 3—On Sections 21, 22 and 23, from Minamichi River to Moncton, a distance of about 72 miles, with all the papers and correspondence connected therewith.

Hon. Mr. CAMPBELL had no objection to the passage of the motion.

The motion was then agreed to.

#### DEPARTMENT OF THE INTERIOR.

On motion of the Hon. Mr. CAMPBELL, the Bill respecting the Department of The Interior was read a third time and sent to the Commons for their Concurrence

#### CRIMINAL PROCEDURE.

Hon Mr. CAMPBELL moved the second reading of the Bill respecting Criminal Procedure. He explained that under the existing law a judge was not obliged to make a report of the facts of the case where he sentences a prisoner to be executed. Some of the judges had thought it was not their duty to send in these reports, and it was now proposed to make them compulsory. The second clause proposed to repeal a clause of the consolidated Statutes now obsolete. The third clause removed a doubt as to jurors in criminal cases.

Hon. Mr. LETELLIER de St. JUST asked whether it was not advisable to have the judge take full notes of the evidence.

Hon. Mr. CAMPBELL said that it was now really the practice, but there was no reason why we should not ask for a report of the evidence in full.

The Bill was then read a second time.

#### PETITIONS FOR PRIVATE BILLS.

The time for receiving petitions for private bills was extended to the 16th of April next.

Several petitions in favor of prohibiting the sale of liquor were presented.

The House then adjourned.

FRIDAY, March 28.

Mr. SPEAKER took the chair at three o'clock.

#### INSURANCE COMPANY.

Hon. Mr. BLAKE introduced a bill to amend Act 32 & 33 Vic., Chap. 70, entitled "An Act to unite the Beaver and Toronto Fire Insurance Companies" Read a first time, and second reading ordered for Wednesday next.

#### NORTH-WEST COUNCIL.

On motion of Hon. Mr. CAMPBELL, the bill to give power to Government to enlarge the number of the North West Council from 15 to 21 was read a second time. Ordered to be referred to Committee of the Whole on Monday next.

In answer to Hon. Mr. MILLER,

Hon. Mr. CAMPBELL stated that it is not intended at present to attach remuneration to the office of Councillor, but it would be probably necessary hereafter when the duties become more onerous.

#### MANITOBA LANDS.

In accordance with the second Order of the Day, the House went into Committee on the bill respecting unpatented lands in Manitoba, Hon. Mr. CHAPAIS in the chair.

Hon. Mr. CAMPBELL explained that the objections raised by his hon. friend from Montreal (Mr. Bureau), with respect to several details which seemed in his opinion to involve an assumption of power by this Parliament, had been considered by the Government as having much force. The Hon. Secretary of State for Canada, who was unfortunately unwell, and unable to be in his place, had correctly said on a previous day that it was necessary to enter into many of these details given in the bill in order to show the people of Manitoba what legislation was necessary under the circumstances. It was never intended as the House well understood, to force any system on Manitoba, but the bill simply allowed any person who choose, to obtain a patent. It was only proposed to provide for cases of persons who might wish to make their titles clear by patents from the Crown. The bill provided for the appointment of a commission to guide the Crown in granting of patents. He held in his hand a despatch from the Governor of Manitoba—here the hon. gentleman read the despatch with the permission of the House—which illustrated the necessity for such legislation. Some clauses to which his hon. friend (Mr. Bureau) objected he proposed to strike out, and he had no doubt that the legislation necessary to render the measure operative would be supplied by the Legislature of Manitoba itself. For instance, the 8th clause, pro-

viding for a certain penalty, was a provision necessary to the satisfactory operation of the law. Since the bill was introduced he had had the advantage of consulting with members of the Manitoba Government and taking their advice with respect to the details of the measure. At their suggestion it was now proposed that of the three commissioners two might be laymen who would be thoroughly acquainted with all such questions. In addition to that, it was provided that where the judge differed from the non-professional commissioners, the person interested might have the right of appealing to the Court at Winnipeg where there are three judges, and a decision shall not be obligatory unless a majority of that Court concur in the ruling. It was also provided that the sittings of the court might be held in different places, precisely as they might be in the country towns of Ontario; and that the clerk of each county court should be the clerk of the court. The lists showing all those persons in possession of land, should be copied, and put up in the office of each registrar in the province. These lists should be read in open court, from day to day, and no claim should be heard by the Commissioners unless that was proved. In that way we would lay the basis of the land titles so far as present occupiers are concerned. No reference, however, was made to the lands now being surveyed, or hereafter granted. The clauses which he proposed striking out were the 14th, 17th, and from the 20th to the 25th inclusive. It was also intended to lengthen the time in the 15th clause, from one month to three months. The Government had no other desire, he added, then to frame a bill, which would be generally acceptable in Manitoba.

Hon. Mr. ALLAN doubted whether it was necessary to strike out the 14th clause, which is as follows:

"Such Letters Patent shall have the same and no other effect or operation with regard to any charge, incumbrance, lien, matter or thing upon, or effecting the lands so granted, as Letters Patent issuing for the same at the time the original title was acquired would have had, save only as establishing the claim of the person in whose favor they may be granted, to the lands to which they relate."

Hon. Mr. BUREAU again maintained that it was inadvisable to stretch our power beyond our jurisdiction. The Local Legislature alone had authority with respect to civil rights and property. The clause in question would probably lead to difficulties in cases where the Hudson's Bay Company had liens and mortgages on

property. In the Province of Quebec the mortgage given by a person occupying land of which he had no title was of course no good, but if he received a title subsequently the mortgage became valid. In his opinion it would be wiser to let the Local Legislature settle the matter.

Hon. Mr. GIRARD thought there would be some danger in such legislation. At present Manitoba was not absolutely without some provision in such matters. During the last Session he had himself introduced a law relative to owners of real property in certain cases. He had grave doubts as to the jurisdiction of the House in such cases, and under these circumstances he would advise the striking out of the clause.

Hon. Mr. ALLAN said that he had simply believed if we had jurisdiction at all in a matter of this kind, it was competent for us to define the effect of the patent; but after the remarks that had been made he would not press his objection.

The clause was accordingly struck out.

The Committee rose and reported bill as amended. Report was adopted and bill ordered to be printed as amended before third reading on Monday next.

A message was received from the House of Commons informing the Senate of the appointment of a Committee of that body to assist in the management of the library of Parliament.

The House then adjourned.

MONDAY, March 31st.

Mr. SPEAKER took the chair at three o'clock.

ROUTINE.

Several petitions, including one in favor of Prohibitory Liquor Law, were presented. Among notices of motion was several on lengthy series of resolutions by hon. Mr. Macpherson, with respect to the Canada Pacific Railway. Hon. Mr. Aikins brought up a copy of Royal Instructions in answer to an address.

FREE PASSES.

Hon. Mr. MULLER again referred to the system of issuing passes on the railways of the Maritime Provinces, and said that whilst he had little doubt the Government were not cognizant of the matter, yet it was well known that persons in charge of the lines were in the habit of showing the grossest favoritism. If free passes are given, it was very necessary that a record should be kept of them, and that the

officers of the roads should not have the power of allowing persons to pass over free, according to their will and pleasure. Since he had moved in the matter, several members of both Houses had spoken to him, and expressed their opinion of the necessity of having some change made in the future. The members of the Legislature were passed over free, though they received a mileage double that given by Parliament. Some members of the Commons and Senate had also the same privilege extended them, but not all of them. If passes were granted it should be on some settled principle under the sanction of the Government. He then asked the Government.

1st. Have any instructions been given to the Managers of the Government Railways in Nova Scotia and New Brunswick regarding free passes, and if so, what are such instructions?

2nd. Is a check book kept of all free passes given over the said railways, and are the officials bound to record the same in such book?

3rd. Is the officer in charge of said railways permitted to pass parties free over the same by verbal orders to conductors, without making any record of such orders?

Hon. Mr. CAMPBELL replied that the return asked for by his hon. friend on a previous occasion was now in course of preparation. He entirely agreed with the remarks of that hon. gentleman that it is very desirable that any evils that now exist should be immediately ascertained and remedied. As to the first question he replied that the system of issuing passes was with very few exceptions within the limits prescribed by railway companies. He understood there was a certain system which obtained between all the railway companies, and by which the chairman directors and officers passed free. As to second question, he was sorry to say that the Department of Public Works was not aware whether a check book is kept or not. Thirdly, no such permission has been granted to any officer in charge. All that the government wished was to ensure the satisfactory management of the railways.

Hon. Mr. BOTSFORD said that he had moved last session for a similar return but no answer had yet been given to the address that was then passed. He corroborated the remarks of the previous speaker (Hon. Mr. Miller) with respect to the system of granting passes, and also referred to the unsatisfactory management of the lines. He hoped since attention was now being directed to the subject, some improvement would be made in the system pursued on the railways of the Maritime Provinces.

*Hon. Mr. Miller.*

Hon. Mr. AIKINS said that it was quite possible that the return in question had been sent by the Department of Public Works to some of their officers in Nova Scotia and New Brunswick, and consequently the delay.

Hon. Mr. BOTSFORD said the address in question passed in the early part of last session.

#### CANADIAN PACIFIC RAILWAY.

Hon. Mr. CHRISTIE asked when the returns he had asked for on a previous day would be ready.

Hon. Mr. AIKINS replied as soon as the Government had all the information asked for in their possession they would bring it down. The hon. gentleman, it would be remembered, had asked for facts not in their possession.

Hon. Mr. LETELLIER DE ST. JUST said the Government could bring down what information they had.

Hon. Mr. CHRISTIE would be quite content with that course of proceeding.

Hon. Mr. AIKINS would bring down all the information as soon as it was ready.

#### CRIMINAL PROCEDURE.

The House then went into Committee, Hon. Mr. Botsford in the chair, and passed the bill Act respecting Criminal Procedure with amendments. Amendments concurred in and third reading to-morrow.

#### NORTH WEST TERRITORY.

The House again went into Committee, Hon. Mr. Ferrier in the chair, on the bill regulating the number of North West Council, etc.

Hon. Mr. GIRARD hoped the Government would give some guarantee that a due regard would be had to the local divisions of race and religion. He was not afraid of the future himself, but it must be remembered that the people of the Province were extremely jealous of the future.

Hon. Mr. CAMPBELL replied that in all the appointments made under the bill a regard would be had to the differences of race and religion. No other course could be followed, whatever Government were in power. A spirit of justice, as well as motives of self interest would tend to the adoption of such a policy.

Hon. LETELLIER DE ST. JUST said the sooner we abstained from making such discriminations the better for the Dominion. We are to form only one people, and should not try and create divisions between creeds and nationalities. Such rivalries should be kept down, and

every portion of the people judged according to its merits. It was the duty of Parliament to legislate for the welfare of the whole community, not for a particular class. (Cheers.)

The Committee rose and reported the bill, which was read a third time and passed.

#### HARBOUR MASTERS.

On motion of Hon. Mr. Campbell the bill respecting Halifax Harbour Masters—imposing a penalty in certain cases—was read a second time.

The House then went into Committee, and passed the bill. Hon. Mr. Dickey in the Chair.

Third reading to-morrow.

#### PRINTING.

Hon. Mr. SIMPSON presented two reports from the Printing Committee—to be considered on Wednesday.

The House then adjourned.

TUESDAY, April 1.

Mr. SPEAKER took the chair at three o'clock.

After routine,

#### INLAND FISHERIES.

Hon. Mr. KAULBACK said:—In rising to ask of the Government the question of which notice has been given, I ask your indulgence while I make a few pertinent remarks. You are aware that our fishing laws enact; that dams or rivers frequented by fish shall have a sufficient sluice for the passage of fish on their way to and from their spawning grounds, and that no rubbish be deposited or allowed to collect from the mills. These provisions in the law are essential to the preservation of our river fisheries. And I am glad in being able to say that most of the small mill owners are desirous to and do conform to the provisions of the law, except in cases where they become demoralized by the bad example set them by the wealthy mill owners, who not content that our giant pines and our noble forest become a waste, but endeavor to make the fishery subservient to their pleasures to become so much waste paper, in order if possible to satisfy their insatiable greed for wealth. My remarks refer particularly to such rivers in Nova Scotia with which I am best acquainted. We find there the wealthy mill owners stretching dams across the rivers without sufficient fish

ways. The salmon, shad, and other fish collect below the dams with no chance to pass up the stream; are driven out of the rivers, so exhausted in their persistent efforts to surmount the obstacles in their way, smother in the saw dust or other rubbish, or sicken and perish. The industrious settlers along the rivers are naturally tempted to capture a few fish for their tables and they very reasonably say, we may as well catch a few for our own use as to see them thus destroyed. Now the fish wardens if they do not openly declare—yet by their conduct we would infer that they are not instructed to prosecute the owners of insufficient fish ways or to take the proper steps to abate the obstructions. Not to interfere with influential mill-owners, but to harass the poor man who dares under the circumstances even attempt to capture a few fish for his family's use, seize the fish with the instruments of capture and further prosecute him to the utmost extent of the law. It is not to be wondered at, if, under such a state of things the officers have not the moral support of the people to aid them in their duties. The value of our exports from river fisheries in Nova Scotia amount I think to over \$300,000 a year, not to mention the inestimable value the sprat are in keeping up our valuable shore fisheries. I am therefore induced to ask the following question:—

Whether any instructions other than those contained in the Acts for the protection of our River Fisheries have been given to Fish Wardens, or any directions tending to restrict the enforcement of the provisions of said Acts requiring sufficient fish ways in dams, and prohibitory deposit of rubbish in rivers?

Hon. Mr. CAMPBELL—In answer to the question put by the hon. member, I beg to say that the practice of the Department is to give instructions to enforce the fishery regulations with reference to dams, refuse, and other obstructions on rivers. But as fisheries are not found in every mill dam, the Department determine on what specific dams the regulations shall be enforced. No instructions have been given to exempt any rivers in Nova Scotia or New Brunswick. Though not strictly in order, I may say that a report has just been laid on the table of the other branch from a Commission appointed some time since to enquire in the effect of depositing mill rubbish in streams and rivers.

Hon. Mr. SKEAD—I am glad to observe that the hon. member has taken up this subject, and that his remarks were especially confined to the streams in the eastern

part of the Dominion. Some part of his remarks, however, are applicable to this section of the Dominion. It must be said that there has been a great improvement here in this particular of recent years. The complaints with respect to saw dust and mill refuse are not at all so frequent now-a-days. Many of the mill owners now consume the refuse of their establishments. The report to which allusion has just been made will probably set the matter at rest. I must say, however, that one mill is worth more to this section than all the fish caught in the Ottawa. It is different, however, in the case of the rivers of the Lower Provinces, where no doubt more stringent regulations are necessary.

#### CANADA PACIFIC SURVEY.

Hon. Mr. MACPHERSON asked the Government: Who is Chief Engineer of the Canadian Pacific Railway, or the person conducting the survey for the Government? To what date has the Government received a report of the exploration and survey of the line, and when will such report be laid before this House?

Hon. Mr. CAMPBELL replied that there was no engineer for the Pacific Railway as yet. The gentleman lately in charge of the surveys was one of the Directors of the Company chartered to build the road. All the parties of surveyors had made returns, with the exception of one engaged on the Cascade Range. As soon as that return was made, the Government would lay the report of the whole route before Parliament.

#### CRIMINAL PROCEDURE.

The Bill respecting criminal procedure was read a third time, and sent to the Commons.

#### HARBOUR MASTERS.

The Bill (from Commons) to amend an Act respecting the harbor master, of Halifax, was read a third time, and sent back to the Commons, without any amendment.

#### MONTREAL INVESTMENT ASSOCIATION.

Hon. Mr. RYAN moved the second reading of the Bill to amend the Act incorporating the Montreal Investment Association. The original Act was passed by the Legislature of the Province of Quebec, and it was asked by the present Bill to extend the powers of the Association throughout the whole of the Dominion.

Hon. Mr. DUCKEY doubted whether such legislation was at all advisable. The company was incorporated by the proper authority in Quebec and he did not think the Parliament could rightly interfere. Matters of a similar character were constantly coming before the House, and it was time a correct conclusion was arrived at.

Hon. Mr. RYAN said that the powers under the original Act, did not extend beyond Quebec, and it was asked to enlarge them, and allow the association to do business throughout the whole Dominion. It would be better probably to make the title not "to amend," but "to extend, &c."

Hon. Mr. MILLER said that the difficulty was that the bill seemed like an interference with the rights of the Local Legislature.

Hon. Mr. RYAN did not understand the matter in that light; but believed the necessary legislation had to be sought from Parliament.

The bill was referred to the committee on Private Bills.

The House adjourned.

WEDNESDAY, 2nd April.

The SPEAKER took the Chair at three o'clock.

Hon. Mr. FERRIER presented a petition from over 2,000 persons in Quebec in favor of a prohibitory liquor law.

#### VIENNA EXHIBITION.

Hon. Mr. CARRALL enquired of the Government: Whether the Government intend to take any steps to secure a suitable representation of the products of the Dominion at the forthcoming Vienna Exhibition? He regretted to understand by hearsay that there would be probably no representation of the Dominion at Vienna; for he believed such a representation would be the best advertisement this country could have.

Hon. Mr. CAMPBELL replied that the notification that such an exhibition would be held reached this country too late to enable the Government, in case it were deemed advisable, to make arrangements for a fitting representation of the products of the Dominion at Vienna. All that the Department of Agriculture could do under the circumstances was to publish the rules respecting the exhibition, and inform persons who wished to send articles there that Canada would be represented by the British Commissioners.

## THE FISHERY COMMISSION.

Hon. Mr. CARRALL alluded to the importance of the Commission which is shortly to meet at Halifax, to consider what compensation ought to be given to Canada over and above the concessions she receives under the Washington Treaty, and hoped that no delay would occur in the assembling of so important a body. He then enquired: Have Commissioners been appointed under the twenty-second Article of the Treaty of Washington, to determine the claims of the Subjects of Her Majesty against the Government of the United States, specified in the same Article; and if so, what are the names of such Commissioners, and what proceedings have been taken in regard to said claims by the Government of the Dominion?

Hon. Mr. CAMPBELL replied that the appointment lay in the hands of the Imperial Government. No appointment had yet been made, but the Government felt it better not to make any official declaration on the subject until the Commissioner had been appointed by the Washington Government.

Hon. Mr. MILLER said as it might be expected a great deal of interest was taken in this matter in the Maritime Provinces. All the necessary legislation with respect to the treaty having been passed, the Commissioner ought to be appointed without any unnecessary delay. He hoped that we would not see a repetition of the injustice with which British America had been treated in the past in all cases of arbitration. A strong feeling of dissatisfaction had arisen in England with respect to the decision of the Geneva Convention, and also in Nova Scotia, with respect to the arrangement made at Washington. He did not deny that Canada obtained some valuable privileges under the treaty, but nothing like the equivalent she ought to receive for the very valuable privileges she conceded to the Americans. He trusted that the result of the commission would be to do full justice to Canada.

## ADJOURNMENT.

Hon. Mr. SKEAD moved that when the House adjourns to-day, it do stand adjourned until Thursday the 17th day of April instant, at 7 o'clock, p.m. He stated it had been usual to adjourn during the Easter season, and as he understood it could be done without any inconvenience to the public interests, he

had no hesitation in making such a motion.

Hon. Mr. FERRIER seconded the motion.

Hon. Mr. CAMPBELL said he believed, from the condition of business in the other branch, no inconvenience would result from a short adjournment. The question was one, however, for the House, to a large extent, to consider. He had no particular feeling in this matter.

Hon. Mr. MILLER opposed the motion as unadvisable in a public point of view. The House should consider whether a false impression would not get abroad as to its usefulness, if such a motion were allowed to pass. If there was no business before the House, there ought to be. The time for the meeting of the Parliament had been delayed for a month; and it would certainly not look well were the Senate to adjourn in one month after it had been called together. The Senate could not afford to lower itself in the public opinion by seeking unnecessary holidays. If gentlemen wished to go home, let them do so, and give up their indemnity. He moved, in amendment, that the adjournment should be from Wednesday, the 9th of April to the evening of the 16th of the same month.

Hon. Mr. CARRALL seconded the amendment and expressed the opinion that the Senate would best consult its dignity and usefulness by adopting the amendment instead of voting for a resolution which would create a wrong impression abroad. He knew some persons entertained no very high opinions of the influence of the Senate in public affairs. One honorable gentleman had said that he would rather hoe potatoes than sit among the old ladies. If more business were originated, complaints of the uselessness of the Senate would not arise so frequently.

Hon. Mr. SKEAD said if gentlemen were not satisfied with the amount of work that was done they should initiate more legislation themselves and not leave everything to the Government.

Hon. Mr. WILMOT pointed out, as he had done before very frequently, that the Senate was the guardian of the smaller provinces, and that they above all other sections should object to any policy that would dwarf the influence of that body. When so important a matter as the Canada Pacific Railway had to be considered it was manifestly improper to adjourn.

Hon. Mr. LEFELIER DE ST. JUST hoped the amendment would carry, as an

adjournment of a fortnight would be a great public inconvenience. Certain important papers had been asked for, and very unsatisfactory delay would occur were the adjournment allowed. There was now an important motion before the House, with respect to the Pacific Railway, which would occupy several days.

Hon. Mr. RYAN said he did not think either the House or the Government were really to be blamed if there were not more measures initiated. The fact was the functions of the Senate were to a large extent to supervise, and if necessary to amend the measures of the other branch of the Legislature—to act as a check upon the popular body. That was the case with all similar Houses in British countries. The very fact that this was a new session was a reason why the House of Commons did not send much business up. He did not see what inconvenience would result by adjourning for some days instead of meeting for a few minutes and adjourning immediately.

Hon. Mr. DICKSON was in favor of the amendment, and hoped the House would pass it. A very important motion was now on the paper and ought to be taken up between this and Wednesday next.

Hon. Mr. MILLER said that he differed altogether from his hon. friend opposite (Mr. Ryan) when he said that the Senate was only a revising body.

Hon. Mr. RYAN did not mean that the Senate was a mere court of revision but that such was among its legitimate functions.

Hon. Mr. MILLER went on to show the importance of the legislation which the Senate, under our constitution, could pass, and again expressed his disappointment that the Government did not initiate more measures. As respects the question of adjournment, he repeated that it would lead to much misapprehension throughout the country. Might it not be said that, being free from popular control, the Senate wished to make its public duties subservient to the private convenience of members? Measures would now certainly be coming from the Commons. Besides the Senate would be shortly called upon to consider questions of the gravest nature, and to adjourn for a fortnight under such circumstances would appear unseemly.

Hon. Mr. CAMPBELL referred to the speech from the throne, and the measures mentioned therein. The first question to which allusion was made was the census, and with that the hon. Minister of Agri-

culture who was in the Commons properly dealt when necessary.

Hon. Mr. MILLER—That is one reason why we should have more ministers here.

Hon. Mr. CAMPBELL—As to the number of ministers in the Senate, that was a matter which regulated itself. It was certainly more convenient that gentlemen in either branch should deal with matters connected with their particular department. The questions connected with pilots and pilotage, and other maritime interests naturally fell to the care of the minister now in the other branch. It was certainly proper that the Commons should deal with controverted elections, and other matters affecting themselves. The bill respecting weights and measures was entrusted to the Minister of Customs. Also bills respecting unpatented lands in Manitoba, the department of the interior, and criminal procedure had already been disposed of by the Senate. In the natural course of things the other branch originated the more important measures; that was the practice in every country governed by British Institutions. He was as keenly anxious as any one to preserve the dignity of the House. He failed to see in what particulars the Government were found wanting. As respects the adjournment he had nothing to say except that he did not see that the public interests would be affected injuriously.

Hon. Mr. WARK expressed his opinion that the country would not view a lengthy adjournment with favor.

Hon. Mr. ARMAND did not understand that any public inconvenience would result.

On a division the amendment was carried. Contents, 27; non-contents, 24.

#### MANITOBA LANDS.

The bill respecting unpatented lands in Manitoba was read a third time, passed and sent to the Commons.

#### PRINTING.

The report of the Joint Committee was deferred until Friday.

Hon. Mr. SIMPSON stated that the delay respecting the Minutes of Monday had been satisfactorily explained.

The House then adjourned.

THURSDAY, April 3rd, 1873.

Mr. SPEAKER took the chair at three o'clock, and the House having transacted some routine business adjourned.



FRIDAY, April 4.

The SPEAKER took the chair at three o'clock.

After routine,

CANADA PACIFIC RAILWAY.

Hon. Mr. CHRISTIE asked the Government: When will the papers asked for on a previous day be ready? I am anxious to obtain them as soon as possible.

Hon. Mr. AIKINS—As soon as the Government can obtain all the papers asked for they will be brought down. The hon. gentleman, it will be remembered, asked for some papers not in our possession.

Hon. Mr. CHRISTIE—I have accepted the suggestion of my honorable friend opposite, that a portion of the papers now ready may be brought at once, while the rest are laid before the House as a supplementary return.

Hon. Mr. AIKINS—The hon. member may point out what he requires.

Hon. Mr. CHRISTIE—Whatever is now in the possession of the Government.

Hon. Mr. AIKINS—I will give the usual order.

THE ADJOURNMENT.

Hon. Mr. CAMPBELL then said that a motion was passed a day or two ago, that when the House adjourns on Wednesday next it stand adjourned until Wednesday, the 16th instant. I stated at the time that the public interests would not be injured by the adjournment, and since then I have made further enquiry, and find there will not be any business brought down from the other branch of the Legislature either on Monday or Tuesday. Under these circumstances it does seem rather asking too much of gentlemen that they should remain here doing nothing when they might as well adjourn. For instance I noticed by the papers this morning that the Senate yesterday simply met and adjourned. Many gentlemen are within reach of their home and its very natural that they should wish to have every facility offered them to pay a visit. I therefore think it would be generally acceptable to the House—and it has been urged upon me by a number—that when the Senate adjourns to-day, it should not meet again until the 17th April. There is nothing upon the paper except the motion of my hon. friend and we can go on with it, if he wishes or can defer it until the papers asked for are before the House. It is certainly within the discretion of the hon. gentleman.

Hon. Mr. MACPHERSON—I came here quite prepared to go on with my resolutions, but I did certainly hope that the

papers in question would be laid on the table for the information of hon. gentlemen. I do not wish to run counter to the feeling of any hon. members who desire to adjourn, and therefore I shall not oppose the motion. I must, however, express my surprise that the papers have not yet been laid on the table—I hope they will all be here before we return.

Hon. Messrs. LETELLIER DE ST. JUST, MILLER, and others consented to the adjournment, inasmuch as the papers were not ready and the hon. mover of the resolutions was ready to accede to the wishes of gentlemen who were desirous of adjourning.

Hon. Mr. CAMPBELL said he would take care that the papers were ready after the adjournment, and that they were printed.

It was understood that the previous motion was rescinded and an adjournment until the 17th inst. carried.

The House thereupon adjourned until the 17th April.

APRIL 17, 1873.

The Hon. the SPEAKER took the chair at half-past seven o'clock, the members of the Senate having re-assembled.

The Hon. EUGENE CHINIC, the newly appointed Senator for the Gulf District, was introduced by the Hon. Mr. Campbell and Hon. Mr. Arman, and after the usual formalities was conducted to his seat.

A number of petitions were presented, including one by the Hon. Mr. Ferrier from the City of Three Rivers, containing 2,140 signatures, for an Act prohibiting the manufacture and sale of intoxicating liquors as beverages in the Dominion.

A number of returns in reply to various addresses were also submitted.

The SPEAKER presented petitions from the Banque Nationale, the Seminary of Quebec and other parties in reference to the Quebec Harbor Commission.

NEW BILL.

An Act respecting aliens and naturalization in the Provinces of British Columbia and Manitoba.

NOVA SCOTIA RAILWAY.

In reply to the question of the Hon. Mr. Miller, put by Hon. Mr. LeTellier de St. Just,

Hon. Mr. CAMPBELL said it was not the intention of the Government this session to propose to Parliament to transfer the Truro and Pictou section of the Nova Scotia railways, owned by the Dominion, to any party for any purpose whatever.

## CANADIAN PACIFIC RAILWAY.

The Hon. Mr. MACPHERSON, in rising to move the resolutions respecting the Canadian Pacific Railway, of which he had given notice, said: - Before proceeding to discuss the resolutions on the paper in my name, I will ask the House to permit me to say a few words in reference to the legislation of last session on the subject of the Canadian Pacific Railway, that is necessary to the consideration of the resolutions immediately before the House. Members are aware that when the Act was passed last session, authorizing certain parties to construct the Canadian Pacific Railway, one of the companies, the Interoceanic, sought incorporation for the purpose of endeavoring to retain that great national undertaking in Canadian and British hands. It came to their knowledge—in fact there was no concealment about it—it was well known and boasted of that American capitalists, gentlemen most prominently connected with the Northern Pacific Railway, were about to form, or had formed an alliance with Sir Hugh Allan, and a limited number of Canadians represented by him, to become the constructors and owners of the Canadian Pacific Railway, and to own the vast land subsidy that it was expected would be granted by Parliament in aid of that undertaking. The gentlemen connected with the Interoceanic company believed, and they found a ready response on the part of the Canadians to whom they addressed themselves, that it would be very unfortunate for the country if this undertaking should fall into the hands of our immediate rivals in this particular railway undertaking, the owners of the Northern Pacific road. They would be our rivals for the traffic which it was expected would flow from the Asiatic countries to Europe over the American continent. It was well known that the further north the line was situated, the shorter it would be, and the easier its grades. The Northern Pacific is said to be in this respect a more favorable line than that of the Union Pacific. It is believed that the gradients on the Canadian Pacific line would be very much more favorable than those of the Northern Pacific. The rivals and real competitors of the Canadian Pacific Company, will undoubtedly be the Northern Pacific Company. It was therefore felt to be especially desirable, that the Northern Pacific Company should not obtain control of the Canadian Pacific Railway: for not only in the question of traffic, which is itself very important, at stake, but what is even of more importance, the settlement of our newly acquired North Western territories.

The United States like ourselves have a vast unoccupied territory, which would be traversed by the Northern Pacific Railroad, and one of its objects is to introduce immigrants into that country and settle it. That road has been granted by the United States Government, a vast territory for the purpose of settlement as a subsidy. They have no money subsidy, being entirely dependent on the sale of their lands, for the means of building the railway. They, therefore, will not only be our rivals and competitors for the trade when the railway is finished, but for settlers to occupy their lands, and it is especially important to them that they should be able to offer their lands advantageously and without competition. It is not at all surprising that these gentlemen should desire to obtain control over the Canadian Pacific Railway and its lands—to be in a position to obtain the advantage in securing immigrants for settlers—to have it in their power to go to Europe and say they were not only owners of the Northern Pacific Railway, which was their recognized and admitted position in America, but that the Canadian Government felt itself obliged to place the Canadian Pacific railway with its large subsidies in money and land in their hands. They would, no doubt, constantly urge that their lands (those of the Northern Pacific Company), were further south than ours, and were altogether very much more desirable, and they would do all in their power to prevent settlers crossing the frontier, and settling in Canadian territory. It is the duty of Canadians to make every exertion to prevent such a result. It is well known that giving the control of the Canadian Pacific Railway to Americans was not distasteful even to the Government at one time—it was probably supposed to be the only means by which the road could be built. I confess myself to a feeling of intense surprise that the Government, or any number of patriotic Canadians could be found who would entertain such an opinion. I believe it would be very much better for this country to wait for a railway many years rather than to place it in the hands of our opponents and rivals in this matter. In this way, honorable gentlemen, and for the purpose of endeavoring to keep this undertaking in Canadian hands, the Interoceanic Company sought incorporation. Another Company, generally known as Sir Hugh Allan's, was also incorporated. The Interoceanic consisted of a hundred and seven members, and the Allan of eighteen. I venture to state on the floor of this House that no more influential, no more respectable, no more

wealthy association was ever incorporated by this or the Parliament of any of the provinces of the Dominion than the Inter-oceanic. As soon as the Company was organized they intimated their readiness to tender for the road. They repeated this intimation several times, and were informed by the Government that they would not engage with either Company, would not entrust the undertaking to either Company, and urged the two Companies to amalgamate. The directors of the Inter-oceanic, after much consideration, made up their minds that it would not be in the interest of the Company or of the country to amalgamate, and consequently declined. Their reason was that they believed the objects of the two companies were entirely different and irreconcilable, and although the Allan Company stated they had dropped association with the Americans and with the Northern Pacific, and while the Inter-oceanic was bound to accept this statement, yet they knew that the Northern Pacific gentlemen with whom Sir Hugh Allan had been in communication still expected the arrangement they had made with him would be carried out. We have reason to know these gentlemen had stated openly that they expected the understanding which had been concluded last winter—more than a year ago—would be fulfilled. The gentlemen connected with the Inter-oceanic Company felt certain they could succeed in carrying out their policy of forming a company distinctively British, and rather than be compromised by a connection with Americans they preferred to stand aloof altogether. In doing this they were influenced by no absurd objection to the introduction of American capital. The gentlemen composing the Inter-oceanic Company are sufficiently intelligent to accept cheerfully all the capital that may be legitimately introduced into the country, and if they had believed Americans were willing to invest their money in a *bona fide* way in a Canadian enterprise they certainly would not object; but they knew very well that Northern Pacific Railway men, no matter how many millions or hundreds of millions they may possess, had no intention of investing any of it in the Canadian Pacific Railway. They knew that they were not investing their own money in the Northern Pacific Railway which was of still greater consequence to them, but had gone abroad for capital, and that notwithstanding their reputed wealth these Northern Pacific Railway promoters found it exceedingly difficult, nay impossible, at

that time, with all their *prestige* to sell their bonds. The Inter-oceanic Company believed the object of these gentlemen was to get possession of a rival line with its enormous land subsidy to obtain control of the settlement of the country, and to increase their credit and importance by being able to represent themselves as the agents of the Canadian Government to increase their power to borrow money to expend in the construction of their own Northern Pacific line. It was believed they would postpone as long as possible the construction of the Canadian Pacific when not for their special interest, and also the settlement of our country. It is not as if the Canadian Pacific Railway was an ordinary road, built between two points for the special accommodation of people living along the line (hear, hear). It was not as if it were a private enterprise. If it were it would be of no consequence who found the capital; the construction of the road would be the first consideration. But this is a national line, and the ownership of it in the hands of any other than the people of this country would be most prejudicial to the best interests of the Dominion. Now I have explained the reasons of the Inter-oceanic Company for declining amalgamation with the Allan Company. The Government then declared they would not deal with either Company separately, and that if the amalgamation was not carried out they would exercise the power conferred by Parliament and create a new Company. Well, I am at a loss to understand why the Government should not have dealt with either one or other of the two companies incorporated by Parliament last session, or at all events have received tenders from both. It would be impossible to find gentlemen who could have formed a stronger company, or association, to tender for the railway than were found in those companies. I am not disparaging the Canada Pacific Company, when I repeat the opinion expressed by the Inter-oceanic Company that it really derived its importance from the connection of two or three gentlemen with it. That is also the opinion of the country. When the government determined as they undoubtedly did that no company which had not Sir Hugh Allan, for a prominent member, should be dealt with or tender for the Canadian Pacific Railway, I cannot understand why they did not place the new organization under the Act of Incorporation obtained by the Allan company last session. When the Government asked for power to create a new company, Sir George Cartier, when introducing the bill in another place stated among other reasons which induced the Government

to ask for extraordinary powers to create a new company by an Order in Council:

"Several companies might be incorporated during the present session of Parliament, and it might happen that these companies might amalgamate and demand any terms, consequently the Government had considered by what means such a state of things could be met, and they proposed that there should be a clause in the bill authorizing the Government in case they could not agree with one company for the construction of the whole line, or with a company formed of several companies amalgamated, to receive the offer of capitalists to build the Railway and give them a charter under an Order in Council."

Now it must be plain to you hon. gentlemen that the Government sought this power from Parliament, only to use it in case of being unable to agree with one company, or with more than one company, amalgamated. They used the power for an entirely different reason. They refused to receive tenders—certainly from one private company—and by their Order in Council from both companies. When they arrived at this determination the proper course would have been to have invited tenders from all parties capable of carrying out the work, keeping in view the settled policy of the country to obtain competition. Instead of that they created a company with a few gentlemen from each of the companies incorporated last session, and a sufficient number of gentlemen not connected with any company to make up the requisite thirteen. If Government had asked Parliament last session to give them authority to charter a company, not to secure competition for the great undertaking, but to exclude it, what would have been the answer? I take it no Parliament that ever assembled would have granted such power; and yet that is what the Government have done. They have done worse—they sought the power to enable them to secure competition, and they exercised it to create a monopoly. (Hear, hear.) Sir George Cartier said, in the House of Commons, when going into Committee of the Whole on 28th May last—

"Another amendment he had to propose was with regard to the Company to be incorporated by the Government in case an agreement could not be entered into with any company incorporated by Parliament this session, or any amalgamation of such companies. It was to the effect that any company with which the Government might deal and which might receive a charter afterwards, should have

a capital of at least ten millions—ten per cent of which amount should be paid in. As in the other case he made this amendment, because of a remark he had seen in one of the papers—the *Montreal Gazette* he thought it was—where it was very correctly stated that the Government if it gave a charter to any company not authorized by Parliament this session, should not enter into an arrangement with it upon more favorable terms than it would be willing to grant to a Company or amalgamation of Companies, authorized by Parliament."

"One of the conditions on which the Government would insist would be that any company to be incorporated for this purpose should have at least a capital of \$10,000,000, ten per cent of which should be paid in. This payment was not to be a sham payment deposited in a bank, but a *bona fide* deposit with the Receiver General, to be made before the Government entered into any agreement with the Company."

"The Government was bound to take care that the arrangement was made with a *bona fide* company, composed of shareholders who would not be sham shareholders."

Hon. Mr. MACPHERSON—Each of the incorporated companies was required to have a capital of ten millions subscribed and one paid up. They were liable to have the balance of nine millions called up, but one million was to be paid up before Government would deal with them. They would have been liable to their creditors for the unpaid capital. The present company have a capital of only one million, the ten having been reduced to one. It is nominally ten, but as a fact it is declared by the charter that only ten per cent. shall be called up, and the shareholders are not liable to their creditors for their unpaid subscribed capital, like other companies. They are protected by Act of Parliament against calls beyond ten per cent. or one million dollars—I venture to say it is unprecedented that a company should be protected by a charter which has the effect of an Act by Parliament from the payment of more than ten per cent. of their subscribed capital until the amount which they may borrow upon bonds and may obtain otherwise has been expended. In other words they are authorized to expend all the money they can get except their own, but are not liable to be called upon themselves for more than the ten per cent. which is paid up, and, by the returns laid before the House to-night, we see how that is deposited. Whether the country will con-

sider it a sham or real deposit I will leave it to say. The ten per cent. which is all they are liable by their charter to pay up is invested; the balance is to be held as a security to the Government.

(Hon. Mr. CAMPBELL, hear! hear!)

Hon. Mr. MACPHERSON—Hon. gentlemen who read the charter must agree with me there is no semblance of security. No transfer can be made it is true for six years; therefore those gentlemen cannot on the register of the company assign their stock within that time. But we all know the railway will not be built in six years. We know that ten are allowed. At the end of six years, however, and therefore before the railway is built, the shareholders, without the consent of the Government, can assign their ninety per cent. of stock to whoever they choose—this ninety per cent. which is represented and declared by Government to be their security. I venture to say it is no security or safe guard at all. If gentlemen in New York wish to acquire control of this railway, and if the company or the directors, for they are all one, were so disposed, there is nothing to prevent their selling their interest now and assigning it to others as soon as they can lawfully do so. There can be no question about this, therefore I say the charter is one such as Sir George Cartier said should not be granted by Order in Council, that is, in terms more favorable than were contained in the Acts of incorporation passed by Parliament last session. Who ever heard of restricting a company in the amount of capital they were to invest in their own undertaking? When companies borrow, they generally endeavor to show the capital invested by themselves, as large as they can make it, and that it affords a good basis of security; but in this case it is a merely nominal amount, affording no security whatever. I suppose I shall be told the subsidy forms a basis, but no one can deny that ten millions would be a very much better basis to go to London with, than one million. The provision in the charter which forbids the directors to make further calls, is not only unjust to the creditors, but looks to me very much like a provision to protect the directors of the company from one another. No doubt that is the effect of it. We have all seen in small animal exhibitions which accompany larger ones, what is called the "happy family," and we all know the means taken to prevent the larger and more ravenous from preying on the weaker ones. I believe this provision is introduced here for very much the same reason. Now it must have struck every

hon gentleman who has read the charter as extraordinary that no precaution, no guarantee was taken to ensure the completion, and especially the working of the railway. I have stated in the resolutions I have submitted, that ten per cent. would be a moderate amount of the subsidies money and land—to have reserved for that purpose. If I had said twenty-five per cent. of the land, it would not be too much. Such a reserve would do the company no injury, and be a security to the country. It is utterly impossible that before the railway is completed in accordance with the terms made with British Columbia, that the company can sell seventy-five per cent. of their lands; therefore no injury or embarrassment could have flowed from reserving twenty-five per cent. of the land and ten of the money; but there is no guarantee of this kind provided. There is no specification either for the construction of this road. I venture to say there never has been anything like it. The company undertook to build a railway without a survey. If they differ with the Government there is to be arbitration. They are to refer the difference to arbitration at once, unless the company and the Government can agree, without the intervention of an engineer, and the railway to be taken as a model or standard is the Union Pacific. I doubt whether any gentleman connected with the Canadian Pacific Company, knows anything about that road. Now there is no engineer provided here—no engineers' certificate required the arrangement is without exception the most improvident that ever came under my observation. Subsidies land and money are to be handed over, and without certificates of a Government engineer. If the government and the company differ about the road, disputes are to be left to three engineers. Is that a position to place the country in on this great question? I think not, and I am quite certain when the country awakes to the importance of the question and the position it occupies, people will see they should not be bound by this charter; There is no guarantee for working the road, in fact, working is not mentioned in the agreement between the Government and the company, laid upon the table of the Senate to-day. It is simply about the construction. I fear the country will get very little for their enormous subsidies. The best they can hope for under the present scheme will be an apology for a railway. As soon as such is completed, the Company will be entitled to all their lands. If the road prove unremunerative, the Company will leave the Government to run it, as it

certainly would have to do. Not only that the Government would in all probability have to reconstruct it, out of the Treasury of the Dominion. Now, in respect to the Bonds, the power to borrow is different from that in the Acts of last session. In them the sum was limited to \$40,000 a mile. By the charter, that amount may be exceeded, with the permission of Government. This leaves the matter as wide and elastic as it could be made or desired by the Company. In my opinion it is out of the question that the gentlemen who have gone to England can persuade *bona fide* capitalists to put one dollar into this scheme, under the present arrangement, but I do feel, that where there is so much money at stake and where there is a vast margin, elastic and capable of indefinite extension, there is danger that financial agents may be induced or tempted, hoping all will come out right, to invest the money of their clients. We know that in England there are always millions left for investment in that way. The parties may be induced to look to the vast land subsidy and hope all will be well. It may be represented that the road can be constructed for a certain sum. In fact what I may call the Canadian Pacific Railway "Credit Mobilier" is already established under the name of the Canadian Pacific Railway Construction Company. I hope it will not be conducted after the United States model, but there is very great danger. It might be shown the Canadian Pacific Railway Construction Company is willing to perform the work at a certain price—that the bonds might be issued to the extent not merely of \$40,000 but of \$50,000 or \$60,000 a mile. The main line, with its branches, will be something like 3,000 miles; there might thus be 120, 150 or 180 million dollars to be spent or disposed of, and it might be made to appear that ten or fifteen millions would remain for the parties interested as directors or agents after paying the contractors. The railway company might, in fact, be contracting with themselves for the building of the road. Well, connected as the Government of the country is with this undertaking, seeing that, in the first place the company has been constructed by Ministers, and that with a great deal of difficulty, and that they have sent parties abroad, evidencing the intimate connection of the Government with the railway company—showing in fact that this country is morally bound by the engagements of this deputation to England—I ask this House to consider how deeply, how seriously the interests of the country may be imperilled by the acts of those

gentlemen. They have power to issue bonds for \$40,000 a mile without the consent of the Government, and with the consent of the Government, for whatever amount they may see fit. They have power to issue bonds for any amount, placing the proceeds in the hands of trustees; and whatever may be the strict legal construction of the Act—whether the lands at the moment of the issue of the bonds would belong to the bondholders or not—is a point for consideration—a nice legal point.

Hon. Mr. CAMPBELL—Hear, hear. (Laughter.)

Hon. Mr. MACPHERSON—The fact that there may be a difference of opinion on this point, is remarkable but not creditable; but whatever the legal construction, the moral obligation to the bondholders is unquestionable, and it would be utterly impossible for the Government to disregard their lien or mortgage upon the lands, provided they pay the money required. The charter provides that the trustees are to be appointed under a by-law of the company; one by it, one by the bondholders, and one by the Government; and the company has power to remove all the trustees, even the Government trustee. It is quite true Government may re-appoint the same trustee, but that would bring about a dead-lock. The company has power to remove the bondholders' trustee as well, and, as a matter of course, its own trustee. These trustees are bound to carry out the by-laws of the company, and a majority can do whatever the whole number can do. Notwithstanding the extent to which the country is bound for this railway, the company's and bondholders' trustees can do whatever they choose, and without the sanction of the Government. Now, hon. gentlemen, I come to the land question, and with respect to the lands not allotted to the company but reserved by the Government to be realised to recoup the Government for the money spent on the railway. Parliament never authorized the tying up of the 50 million acres of land reserved by the Government, and making it subject to the wishes and policy of the company, or the placing of an excessive price upon it, such as \$2.50 an acre. This provision is most unfortunate, and calculated to work untold injury to this Dominion. This is another point where the charter is different from the Act of last session, notwithstanding Sir George Cartier's declaration that the charter should not differ from the Acts. Well, about 107½ million acres are locked up at the price of \$2.50 an acre, which I consider is equivalent to placing them entirely out of

market, and declaring they are not open for settlement. This comprises, with the Hudson Bay Company's reserve of twenty millions, 127,500,000 acres, or all the cultivable lands, and perhaps a good deal more between the western frontier of Ontario and the Pacific Ocean. We don't know what those lands are, or where they are, but we ought to know. It is well known that the gentleman who was chief engineer of this company till he became a director, made a trip through the territory and gathered valuable information, which should have been communicated to us. Surely we are entitled to his report. I presume the gentlemen who have gone to England have not left without this information. They in any case have gone lamely, but without this narrative they have gone more lamely than I supposed. There are rumors as to the nature of the country traversed, and we ought to have them confirmed or contradicted. It was stated, I don't know with what truth, that the gentleman I referred to was very much disappointed with the country west of Fort Garry; that many of the springs and rivers including some falling into Lake Manitoba, were salt, and that the water of that lake was brackish. That there is a great scarcity of timber, insufficient for the construction of the railway, and that it is uncertain whether fresh water can be found along the proposed line. Now we ought not to be left in doubt as to the truth of these statements, and the gentlemen going to England should know precisely what those lands were like, the natural features, resources, of the country, and all such matters. If the statements I have referred to be true, that region should not be pictured as prairie of the finest quality, fit for all the purposes of civilization. After tying up 107½ million acres of land in this way, there is in fact only the Hudson Bay Company's lands to put in the market. I will state the extent of land cultivated in the Dominion. We all know it has been in process of settlement for more than 100 years, and that its lands are many hundreds of miles nearer market than our North Western Territories, that a great portion lies along the coast that the country is liberally intersected with large rivers, which facilitate the transport of bulky agricultural productions to market. Notwithstanding all these advantages, and the time settlement has been progressing, the whole area of cultivated land in the Dominion is under six millions of acres, and the population is a trifle under four millions. So in round numbers

this gives but an acre and a half for every man, woman and child in the Dominion. Now, the United States possess advantages over the Dominion; their lands lie further South; they have a milder climate, a greater variety of soil, a vastly greater variety of productions, and productions more valuable for their bulk, and the transport of which costs less than agricultural produce. In the United States, at the last census, the population was not quite thirty nine millions. The land under cultivation by the latest returns was one hundred and eight and a half million acres. To facilitate calculation, call the population forty millions, and the area of land cultivated one hundred and twenty million acres, and you have four acres for each man, woman and child in the country. Now, take the State of Illinois which is, perhaps, the most attractive for settlers, with its broad prairies, fertile soil and all its other undoubted attractions. Its population is about two and a half millions, and cultivated lands about ten million acres, or about four for each man, woman and child in the State. You will now see that we have more land available for settlement in our North West Territory, than all the cultivated land of the United States and Dominion together. This calculation affords an idea of the vastness of the undertaking before us in the settlement of that country. If the Government had reserved twenty-five per cent of the company's lands, as security for the construction of the railway, they would have done the company no injustice or injury. Estimating the population required by the standards referred to, this would be the result. If the Illinois rate of four acres to each individual, be adopted, we should require thirty millions for our territories; adopting the rate of the whole United States, forty millions, and according to that of the Dominion eighty millions would be required. The average price of land sold in Ontario and Quebec the last few years, has been below the minimum price fixed for these North West lands. True, they have not lain beside railways but neither will those in the North West Territories, while in Ontario they have the advantage of proximity to railways, and the best water communication in the world, which the North West lands will not have. The average price of land, sold in Ontario in 1871, was \$1.72 an acre, and in 1872 \$1.36; in Quebec for the six months ending 30th June, 1869, 30 cents an acre; for the twelve months ending 30th June, 1870, 40 cents; and for the eighteen months ending 30th June 1870, 36 cents; from 1st July 1870, to 30th June, 1872, the price was about 35 cents an acre. In addition

to greater nearness to market those lands have timber of more or less value upon them. This is exclusive to all free settlement. In the face of such a state of things, how is it possible \$2.50 can be got for land in Manitoba and beyond. It is, as I said before, placing the lands absolutely out of market. Sir Hugh Allan in the speech he delivered at Peterboro—seemed to think the settlement of these lands a light matter. He said "the Pacific Railroad would open up a country of which we had no idea. There were hundreds of square miles—millions of acres—of rich land in the Saskatchewan Valley, that would be opened up and made accessible by that railway. It was almost fabulous to hear the manner in which people talked of those lands; but at the same time one could not doubt the facts when dozens of persons who have at different times and under different circumstances visited that country, say that the land is rich to a great degree, that the climate is not insupportable and that the country is one through which railways can be made with comparative facility and through which it is desirable to have railways. That country will be settled in a comparatively short space of time when once opened up."

Hon. Mr. MACPHERSON—What possibility is there of selling our lands for \$2.50 an acre, and yet the Government have tied their own hands by fixing that price. If they find it prevents settlement, they cannot repair their mistake—it will be too late—they can't reduce the price; the bondholders would be up in arms the moment such a thing was proposed. It has been said that while they could not reduce, they might offer their lands free—in other words, that while they could not impair the security, they could destroy it altogether. I hope it will be long before such a code of morals prevails in this country. The plan I propose here, the abrogation of the treaty, is a very extreme one, and nothing but the public interest would induce me to recommend it. But in this particular case I think the public interest is of sufficient importance, is sufficiently pressing to render that a proper remedy, inasmuch as it is the only remedy; and, I think in this particular instance, it is a proper remedy. It is not an illegal one, for Parliament has reserved to itself the power to repeal charters, and has exercised it. The Interpretation Act of 1867, clause 7, sec. 34, reserves this power when the public interest requires it, as does the General Railway Act of 1862; also the Joint Stock Companies' Act. The principle is embodied in British constitutional law. It

was enforced in the case of the legislation respecting Municipal Corporations in 1835, but would only be enforced in the public interest. In Canada the charters of certain banks were repealed, and this is the proper course as regards this charter. Another reason for postponing for a time, if not for ever, the placing of this railway in the hands of a company, is the propriety of waiting to see what policy will be adopted in England and elsewhere respecting railways. The question of state ownership is everywhere agitated. In most continental countries the State is the owner of the railways, or are to become so at a stated time. In Belgium concessions have been granted; but in 90 years the State is to become owner of the railways; the rolling stock to be paid for at a fixed price by arbitrators. It is much the same in France and other European countries. In Belgium the Government owns some of the roads. In nearly all continental countries the state either owns or is to own them in a certain number of years. In North Germany the time is even shorter than in England, the question is being agitated, the Inspector Railways has reported in favor of the State acquiring the railways, as the only means of checking the monopoly of the companies. Many large companies have already amalgamated, and it is feared they will control the entire traffic of the most important portions of the country, to the injury of the people.

We see what is taking place in the United States in consequence of railway monopolies. At such a time therefore it would have been a wise and proper thing constitutionally and otherwise for the Canadian Government to have waited and reflected carefully before taking the action they did in this matter. It was very extraordinary to close such a charter without submitting it to Parliament—to close it after Parliament was summoned, more over. When the importance of this measure is seen and understood by the country, I think it will be felt that our constitutional and parliamentary system has been subjected to a very great strain by the course pursued by the Government in granting this charter.

Hon. gentlemen I have occupied the House longer than I intended, but the importance of the question, which I wish had fallen into abler hands, must be my apology. The course I propose to you is the abrogation of the charter. The sooner that step is taken the better for the country. I will not say a charter should be abrogated without indemnity to the parties interested if any loss can be shown. But up



to the present time I believe it is impossible to show any ground for such indemnity; and therefore it is important no time should be lost in abrogating the charter so that no claims may arise under it for indemnity. We may be told that great profits are to be made out of the work, but if so, it only demonstrates, again, that the sooner abrogation is effected the less the country will have to pay for it. The proposition made in England is really to build the road for the bondholders. The company has a mere nominal capital of one million dollars. Considering the lack of information so necessary, how can people be expected to invest capital in bonds to build a railroad across the continent. Sir Hugh Allan in his speech at Peterboro' last December, said he hoped the time was not far distant when he would go to England, "to raise funds on the security of the Dominion." He was quite right, this money if raised, would be raised on the security of the Dominion. Sir Hugh Allan said, "he had been promoting another railway from Carleton Place, on the south side of the Ottawa, to Sault St. Marie, striking the Georgian Bay about the mouth of the Trent River. That line was of great importance, as it would take the entire trade of the west and north-west by connecting with the Northern Pacific Railway. That would form nearly an air-line, and a very considerable portion of the western trade must come by it, for there was no other way to reach the seaboard so quickly." It is not an attractive statement to make to capitalists when inviting them to invest money in the construction of the Canadian Pacific Railway, to be told by its chief promoter that he is interested in another road that will take the whole of the trade that might be expected to come over an important section of the Canadian Pacific railway. Then he (Sir Hugh), said "he proposed to carry through a line of railway from Ottonabee, (on the banks of which Peterboro' is built,) to the Pacific. He proposed to commence a railway at Montreal, coming in the same line of road as the Ontario and Quebec; but diverging somewhere and going to the Pacific by one route or the other, probably by two routes."

Hon. Mr. MACPHERSON—I do not suppose he meant two railways through Canada to the Pacific. I presume one of them is the Northern Pacific Railway through the United States. Sir Hugh then referred to the difficulties to be encountered in constructing the Canadian Pacific Railway, over the Rocky Mountains. He said:

"The road (Canadian Pacific,) would meet with great difficulties west of the Rocky Mountains, owing to the canons and mountain ranges; and it was a question whether any really practicable route had been found by which the road could be carried to the Pacific Ocean. They had no idea of the difficulties presented by those mountains, which rising to the height of 9,000 to 10,000 feet, have directly at their bases enormous gulfs through which run swift and deep rivers. Therefore, it was a matter of very great difficulty to find a proper route. Still it must be found, and they must not give it up if they could not find it at once but must look for it until they did find it. He had not the slightest doubt but they would find it."

Hon. Mr. MACPHERSON—This shows that in last December Sir Hugh Allan was not aware whether there really was a practicable railway route through British Territory to the Pacific. I am not aware that additional information has been obtained since, none has been laid on the table of this House. How is it possible in view of such facts that Sir Hugh can expect capitalists to invest their own means in the undertaking? It was out of the question. If he succeeded in placing the undertaking, it must be in the hands of those who, like the New York gentlemen, had a special interest in desiring to obtain possession and control of it. If it is desired to do so it can be placed in their hands as easily in London as in New York—in Lombard street as in Wall street. It is very likely that I shall be told that if the Interoceanic Company had got the contract all would have been arranged and proceeding as at present, with this difference, that I should be defending instead of condemning the transaction.

Hon. Mr. CAMPBELL—(Hear, hear.)

Hon. Mr. MACPHERSON—This is not the case hon. gentlemen. I should be sorry to be a party to offering any scheme in Lombard street with only such information as we have and as I presume the gentlemen who have gone to England have respecting the Canadian Pacific Railway. Hon. gentlemen may think I was exceedingly anxious the Interoceanic Company should have got the contract. I was not anxious on personal grounds, but I did desire that that company should be entrusted with the undertaking with a view to its being kept in Canadian hands. Had the Interoceanic got it, and had I any voice in the councils of the company, I should have opposed their offering a crude scheme in England, and had I failed in persuading them on this point I should

have retired from the company. I would have advised the company to do what I now advise the Government to do. Begin to build the railway at our north-western frontier—at Pembina, extend it into our prairie country to Fort Garry and beyond. There must be a basis afforded for the building of a railway as for the supply of an army. In the country I refer to the railway could be cheaply constructed and would open the country for settlers. I would also have commenced also on the Pacific coast to keep faith with British Columbia, and while doing this I would explore the rest of the country thoroughly from Lake Nipissing to the Pacific Ocean, so as to ascertain and be able to shew to capitalists what the cost of the railway would be, what its grades, and what the nature of the country covered by the land subsidy. While all this was being done probably two hundred miles of railway might be constructed—a portion in the prairie country, a portion on the Pacific coast—occupying perhaps three years, and involving an expenditure of eight to nine millions of dollars. If the charter is abrogated and the government adopt the course I recommend, this expenditure might possibly be taken out of the revenue, or at all events would impose little or no burden upon the people. My only object is to have the great land subsidy restored to the country. I believe if it is restored the government will never part with it again. When full information was obtained, government could determine whether to continue the railway as a public work or offer it to a company or companies. It might be possible to divide it into two or three sections, and let it be owned or controlled by the people specially interested in the several regions. The people of British Columbia might own their portion of the line which they were very anxious to do at one time (Hear, hear). The country will have to bear the whole cost of the railway—no one expects anything else. It is therefore important that it should be built as economically as possible. If the line were divided into sections the government instead of dividing the subsidies among companies might find it more economical to negotiate the securities and pay the companies as they became entitled to their shares.

These matters may be left for future consideration; meantime, we ought to ascertain what the road will cost; the physical features of the country through which it will pass, and the prospect of attracting settlers. Great efforts should also be made to open communication from Lake Superior to Manitoba, so as to be

able to introduce immigrants into our North West territories, without having them pass through a foreign country. Under the present arrangement there is no prospect of the construction of the railway being commenced in July next, no chance of that part of the engagement being fulfilled. I may state that I have no interest in any Pacific Railway Company and never shall have. The Interoceanic is dissolved. I have therefore but one object in view, that of getting the subsidies restored to the country. I have heard it urged that it is unpatriotic to do anything to prevent money being raised in England to be spent here; that the expenditure of it here is very important, and that it matters little on what representations it is got. I hope for the reputation of the country that this feeling is not widely entertained, at all events, it is the duty of Parliament to present only facts to the capitalists whom they invite to take an interest in this national undertaking, and to deal honestly with them. I hope this House will consider their responsibility in voting on these resolutions; their duties are special and peculiar—votes of the Senate have not the same political effect as votes of the other House have. It does not necessarily follow that carrying these resolutions would unseat the Government.

Hon. Mr. CAMPBELL.—No fear. (A laugh.)

Hon. Mr. MACPHERSON.—There would be no such result. The Government have on previous occasions retraced their steps—as in the case of the grand national policy. This House was very near throwing it out. I on that occasion as on this had the misfortune to differ with the Postmaster-General, and opposed that policy. I am inclined to think it will be very much the same with this measure. The Government will resist it now, and have to reverse their action another session. I have no doubt the time will come when these resolutions will be carried by Parliament, and this charter abrogated. I believe nothing this House could do would afford so much relief to the country, and raise the Senate to such an eminence in public estimation as passing these resolutions. I shall not detain the House any longer, but move, seconded by the Hon. Mr. Wilmot, the adoption of the first resolution. (Hear, hear.)

*Resolved*, That by the statutes 35 Vic. caps. 72 and 73, two companies—the Interoceanic Railway Company and the Canada Pacific Railway Company—were severally incorporated with full powers to construct and work the Canadian Pacific

Railway upon the terms and conditions agreed upon at the union of British Columbia with Canada.

The following are the resolutions to have been moved *seriatim* by Hon. Mr. MACPHERSON:

*Resolved*, That by the Statute 35 Victoria, Chapter 71, the Interoceanic Railway Company and the Canadian Pacific Railway Company were permitted to amalgamate and form one Company, and the Government was empowered to agree with either of the said Companies, or in the event of their amalgamating, then, with the amalgamated Company for the construction and working of the said Canadian Pacific Railway.

*Resolved*, That the powers conferred upon Government by the fifteen clause of the Statute 35 Victoria, Chapter 71, were not intended to be exercised except in the event of the Interoceanic Railway Company and the Canadian Pacific Railway Company severally and unitedly failing or declining to agree with the Government to construct and work the Canadian Pacific Railway; that the concluding of an agreement with persons not incorporated by Parliament for constructing and working the said Railway without having by public notice invited tenders from any association of Her Majesty's subjects, able and willing to form a company and accept a charter under the provisions of the Statute 35 Victoria, Chapter 71, was not in accordance with the spirit and object of the said Statute; that such a proceeding was highly objectionable and contrary to the usual and well understood system of contracting for the construction of the public works of the Dominion.

*Resolved*, That the charter granted by order of His Excellency the Governor General in Council on the fifth day of February, 1873, incorporating Sir Hugh Allan and others, by the name of the Canadian Pacific Railway Company, confers upon that Company extraordinary and dangerous rights, powers and privileges.

*Resolved*, That the fourth clause of the said charter is highly objectionable; that it provides in effect that the whole available capital of the company shall be only one million dollars, ten per cent upon a nominal amount of ten millions, which one million is to be invested by the Receiver-General, and the interest paid, as received to the Company. That the 90 per cent mentioned in such fourth clause is illusory; that it affords no real security to the Government, while the provisions of that clause mainly protect the stockholders of the company from all further calls and

from liability to the creditors of the company in respect thereof.

*Resolved*, That the said charter does not provide adequate security for the completion and equipment of the whole line of railway; that it ought to provide that there should be retained by the Government out of the portions of the land and money granted and stipulated to be paid from time to time by the fourteenth and eighteenth clauses, not less than 10 per cent., as a security and guarantee for the completion and equipment of the railway; and that such percentage should not be paid to the Company until six months after the completion, equipment and working of the railway, and until the engineer of the government certifies that all the works proper to the railway have been duly performed; that the equipment is adequate, and that, in his opinion, the company have the means and appliances for efficiently working the railway.

*Resolved*, That the government should not have granted to the Canadian Pacific Railway Company the power to issue Bonds to the amount of \$40,000 a mile for the whole extent of the railway with the unusual provision that such Bonds may be a first charge upon the lands thereafter to be acquired by the company, and by that means charging such Bonds upon the fifty millions acres given as a subsidy for the construction of the railway before the Company is entitled to receive them; that such a power sanctioned by such authority is fraught with great and serious consequences and may effect most injuriously the credit of the Dominion; that the sanctioning of such a power is a pledge of the faith of the Dominion to the holders of such bonds that the lands, whatever may be the fate of the Company, shall be, and remain as security to such bondholders.

*Resolved*, That the fifteenth clause of the charter is highly objectionable, and if allowed to remain in force will be a great check and discouragement to the settlement of the Territory of the Dominion, situated between Lake Nipissing and the Pacific Ocean; and the settlement and price of the public lands on the line of the Canadian Pacific Railway, not allotted to the Company, ought not to have been made subordinate to the interests of, or dependent upon, the action of the Railway Company; that it is of extreme importance to the future welfare of the Dominion that the Government should retain possession of all the lands through which the Railway will pass, and full control over the settlement thereof; that the provisions of the said fifteenth clause of

the Charter place the entire settlement of that vast Territory in the hands of the Canadian Pacific Railway Company; that immigrants will not be induced to pass by the cheap lands and free homesteads offered them in the Eastern and Central Provinces of the Dominion and in the United States, to proceed hundreds of miles further from market to purchase lands at excessive prices; that the minimum price of \$2 50 an acre, fixed by the charter, is excessive; that by such a condition or bargain the Government gives its sanction and authority to a fictitious value of the lands; that such sanction is well calculated to mislead capitalists and enable the railway company to use it for the purposes of financial operations, raising money for the repayment of which the lands may be held to be pledged, leading to future embarrassment to and charges of bad faith against the Government of the Dominion.

*Resolved*, That in the opinion of this Honorable House the immediate abrogation of the charter granted to Sir Hugh Allan and others, incorporating them as the Canadian Pacific Railway Company is essential to the successful and advantageous carrying out of the great undertaking, at which the faith of the Dominion is solemnly pledged.

*Resolved*, That with a view to the early commencement of the Canadian Pacific Railway, and in order to keep faith with British Columbia, and to carry out the conditions agreed upon at the union of that Province with *Canada*, and to ensure the certain and early uniting together by railway of all the Provinces of the Dominion, the government should forthwith determine the terminal points of the line on the *Pacific* coast and East of the Rocky Mountains, and should at once commence and proceed with the construction of the railway through the Department of Public Works, or by a Board of competent commissioners appointed for that purpose.

*Resolved*, That simultaneously with commencing the construction of the railway steps should be taken by the government to obtain a thorough accurate exploration, and complete survey of the whole line between the terminal points on the *Pacific* coast and on the south side of Lake *Nipissing*, to ascertain the features and physical formation of the country, to determine the alignment and grades of the railway, and to procure a close estimate of its cost for the information of Parliament and of the country.

Hon. Mr. CAMPBELL said he thought the House would desire to dispose of the resolutions as a whole. Unless my hon.

friend opposite is particularly anxious on the subject, it would be more satisfactory to the House, inasmuch as the earlier resolutions turn upon the last one or two. It would be better to move the whole as one proposition so that everybody may see what is agreed to, and particularly as the mover has found it convenient to discuss them all.

Hon. Mr. MACPHERSON—I think it would be more convenient to take a vote upon each. Some gentlemen might approve of some while disapproving of others, such as the amount of bonds to be hypothecated, the manner of doing so, and other matters. I don't see how it is possible, if the land resolution is put by itself, for any gentleman to vote against it.

Hon. Mr. CAMPBELL—I think I shall ask the House, then to deal with the question as a whole; but as it is now so late, I think it as well not to discuss it at present. I think it due also, to my hon. friend opposite, to show every attention to the remarks he has made; and that I may have a full opportunity of doing so, I shall move the adjournment of the debate.

The motion was carried, and the resumption of the debate was made the first order of the day for Friday.

Hon. Mr. WILMOT seconded the motion.

On motion of Hon. Mr. CAMPBELL the debate was adjourned.

#### ORDERS OF THE DAY.

On motion of Hon. Mr. SIMPSON, the first order for the consideration of the second report of the Joint Committee on Printing was discharged.

Hon. Mr. BLAKE moved the second reading of the bill amending the Beaver and United Fire Insurance Companies Act. He said the object was to secure harmony with the bill passed by the Ontario Legislature last session. Carried.

#### MARTIN'S RELIEF BILL.

On motion of Hon. Mr. DICKEY, Richard Martin was called to the bar of the House and sworn. A number of questions were then put to him, to all of which he read replies, after which the Senator's motion for a second reading of Martin's relief bill and its reference to a select committee was carried.

#### COMMONS.

A number of bills transmitted from the Commons were read a first time.

On motion of Hon. Mr. CAMPBELL the House adjourned till Friday at three o'clock.

FRIDAY, April 18, 1873.

The SPEAKER took the chair at three o'clock.

THE CANADA PACIFIC RAILWAY RESOLUTIONS.

After routine proceedings, Hon. Mr. CAMPBELL resumed the debate on Hon. Mr. Macpherson's Pacific Railway resolutions. He said—In rising to reply to the speech of my hon. friend the Senator from Toronto, made last evening, I do not propose to occupy the House for any considerable time. The remarks that hon. gentleman made in proposing the motion, extended to a very considerable length, and were necessarily, I do not say it in a spirit of adverse criticism, somewhat discursive in their character. I felt, at the time and afterwards, that it was somewhat difficult to group his arguments together so as to answer them tersely, and not too much to occupy the time of the House in so doing. I shall endeavor, so far as possible, not to prolong unnecessarily the answer which I deem it my duty to give to the criticisms which have been made by the hon. gentleman on the course pursued by the Government with regard to the Canadian Pacific Railway. My hon. friend's position in the House and country eminently demands these explanations at my hands, no less than the position he occupies in reference to the Government, and which we are very anxious he shall always continue to occupy. (Hear, hear.) In discussing the resolutions, he certainly laid many sins at the door of the Government, as to the course which they pursued with regard to this railway. I hope he and the House will bear in mind it is much more easy to criticize after the fact than to make up one's mind beforehand as to what is best to be done. I do not doubt that any one could now sit down and find fault with a great deal of force in many points, as to the course pursued by the Government, or of a great company, or any individual with reference to any large transaction. The iniquities, as laid to our door in ten or eleven resolutions which have been on the paper for a long time, relate to the original inception of this matter, the manner in which we overlooked the claims of the Interoceanic Company, with which he was connected, the way in which we formed a new company, the charter given to it, the character of that charter, the various provisions with regard to the raising of money, the land grant upon which the money was to be borrowed in England, and several other points upon which he has enlarged. These are weighty

sins set forth in this indictment at great length, longer than the decalogue; they are set forth in eleven counts instead of ten. We have been guilty of the breach of the ten commandments, and of the eleventh of which we sometimes read in United States productions, in addition. (Laughter.) But I apprehend that, after all, if we all knew the truth, the greatest sin has not been mentioned yet, and it is that we did not give the contract to the Interoceanic Company. (Renewed laughter.) If we had taken that course—if we had been fortunate enough to have received the assistance of my hon. friend from Toronto—and we should have considered ourselves very fortunate, for we recognize his high position and his great influence in Ontario and elsewhere, for he is a man of wealth and high social standing, we should not have heard of these resolutions in all their pretentious length. I do not desire to criticise unfavorably, but we should have escaped the exceedingly long speech of my hon. friend in support of them also, as well as the suggestion that this House should by resolution depart from the policy laid down in a previous Parliament, by the Commons in 1871, and during the session of 1872 by the act of both Houses with the assent of the Crown. That policy was that this road should not be built by the government, but by private enterprise aided by a liberal grant of money and land. There was no member of the House more urgent in impressing the necessity of this course on the government, and in endeavouring to make sure that the work should not be conducted by the government; that there should not be, as it was called, a repetition of the Intercolonial Railway matter, but that the enterprise should be conducted by private hands. No persons were more urgent in insisting upon this policy than the Opposition, with whom my hon. friend is now taking sweet though unaccustomed counsel (laughter.) Now, I do not apprehend that the House is anxious to go into a long detail of the various objections which may by ingenuity be raised against every particular feature, or a great many features of the Pacific Railway charter. I imagine the House will be disposed to look on it as a whole, to see if there has been any departure from the principle settled in Parliament in the terms in which it was granted. I conceive there has been no departure in any essential. Now, if we had had the advantage of the honorable gentleman's assistance we should have this charter precisely as it is, almost word for word. Had he yielded to the suggestions made to him by the Gov-

ernment and amalgamated his company with the Allan, the work would not have gone on under the charter of either company, but a new company would have been formed. He would not have been anxious to take terms less favourable, but to get more favorable, and in all human probability, he would have been now, instead of finding fault with our charter and criticising everything done under it, and instead of saying there should be no private company, and the work should have been done by the Government, he would have been in England with Sir Hugh Allan endeavoring to raise money for the construction of the road, and I hope he will, without offence, allow me to say he would have been more usefully employed than in endeavoring here to do what he can to prevent the success of those so occupied in England. There are others who can speak with more certainty than I can on the subject, but I take leave to doubt whether he is now speaking as he had a right to speak for the Inter-oceanic Company. [Hear, hear.] I believe there are many, including some within the sound of my voice and belonging to that Company, who would express the opinion I do that he is not now speaking for the large number of respectable and wealthy persons who once gathered round him as members of the company, but chiefly for himself or at most one or two besides—for one particularly who holds an important position in the commercial world, and who is said to be a gentleman of great talent, of bright prospects, and who is supposed to have great influence in the counsels of my hon. friend. He stated that in his judgment the very object with which the two charters were granted last session has been defeated; that the object of Parliament really was to produce a competition between the Canada Pacific and Inter-oceanic companies, and that it was only in the event of this competition not being successful that the powers of the Government were to be exercised and a charter granted under the authority of the Act. In order to satisfy us, he quoted from the speech of Sir George Cartier. No doubt the language was uttered by that gentleman. I take it this House will be guided in its opinion as to what was intended by the legislature, not by the speech of any member, but by the proceedings and legislation of Parliament, and I say that the Act passed last session, in the most clear and decided terms, in language as clear and explicit as it is possible for any Englishman to use, leaves this matter in the hands of the Govern-

ment, and does not point to competition as the precursor of action by the Government, but to all the considerations which are to influence it. The Act says, in language which would be hard to stretch or give any extended meaning to

Clause 15, Canadian Pacific Railway.—“If there be no company either incorporated originally, for the construction of the whole line of railway, or formed out of two or more companies, as aforesaid, for that purpose, or if the Government cannot or does not deem it advisable to agree with any such company for the construction and working of the whole line of railway under this Act, or is of opinion that it will be more advantageous for the Dominion, and will better ensure the attainment of the purposes of this Act, that a company should be incorporated—then if there be persons able and willing to form such company, and having subscribed capital of at least ten millions of dollars, the Government may grant a charter “etc., etc.”

Can anything be stronger than this? Is there any suggestion of competition here? and should a large enterprise of this kind, involving a vast amount of money and land, require competition and huckstering for its prosecution and completion. No object of this kind was desired. The design was to bring about the strongest combination possible; an union of the greatest and most influential men; and not to dwindle or cause to degenerate a great object by means of a petty rivalry and peddling, to ascertain whether they would build it for a dollar or for an acre of land less. If that was the idea of the hon. gentleman, why did he not express it last session? The act of last session gave the Government in the most distinct and positive terms, the power I have claimed.

The charter granted says:—“We were unable to induce these companies to amalgamate, and that we deemed it more advantageous to the Dominion to make the present contract to be framed in conformity with the intentions and object of the Legislature, and without going beyond them in any substantial manner.” I may refer to a paper on this subject which many hon. gentlemen may have seen in the “Canadian Monthly,” the production of a writer who stands outside of Canadian politics, and who has examined the subject with the eye of a critic and bystander; he uses the very language I do, that the charter granted does not in any serious way exceed the powers conferred by the Legislature. My hon. friend opposite argues that competition having taken place, we should have granted the

charter or contract to the lowest tenderer.

Hon. Mr. MACPHERSON—To any association.

Hon. Mr. CAMPBELL—Yes, and if such an association as Mr. Koesterman's had been formed, and its offer had been lower than that of such a company as Sir Hugh Allan's combined with that of the Senator from Toronto would have made, we should have given the contract to the lowest. That would have been a sad bargain for the country. Such a transaction was not the object of the bill. Everyone felt that union and co-operation were necessary, and it is on record here in eloquent language by the hon. Senator from Toronto, that every exertion should be made to secure the best combination of Canadian energy, skill and capital that could be brought about for the construction of this great road. Does the hon. gentleman pretend that, if, by competition, this subsidy of thirty millions had been cut down, he was prepared to undertake the construction of the road? Would he have been content to take any less sum? I see evidence pointing to a very different conclusion—that he thought it was impossible to go on and complete the work. His company, or he in its behalf, said that "the subsidy in money, although large, is still insignificant, relatively to the enormous outlay that must attend the construction of the work." This appears in one of the last letters the hon. gentleman wrote on the subject. It showed no indication there was to be any competition, or that he was prepared to embark in this undertaking for a smaller subsidy. It is folly to say so, and it is surprising that a gentleman of such good sense and large experience should urge that there was any suggestion or idea as to the propriety of competition. When looking at the amount of capital for the road, let us bear in mind that it is not a question of constructing this railway by share capital. My hon. friend opposite boasted with great justice of the strength of his company and contrasted it, I thought, somewhat unfairly with the Canada Pacific. Beyond all question the gentlemen of the Inter-oceanic Company deserve to be spoken of with every respect. I quite agree that they are entitled to the credit he gave them. I apprehend, however, not only that in the commercial but in the political world—if that is a point—but in the social world also—in every way, in fact—many gentlemen of the Canada Pacific Railway stand quite as high as members in the Inter-oceanic. I find in the Canada Pacific my hon. friend from the Erie Division, Hon. Mr. Skead, of the Ottawa, my hon. friends from Inker-

man, Belleville, and other Senators, and yet the hon. gentleman from Toronto says, the principal object of this company, its *raison d'être*, was to prevent this road falling into the hands of the Americans? Why should he suppose those influential members of the Pacific Company, Canadians like himself, who occupy a position the same as his own, are not entitled to the same respect and credit as himself, for love of country and patriotism. Why are they not entitled to be also credited with a desire to preserve this great land grant to Canadians—why should he doubt them and plume himself upon the reason that he desires to make this enterprise Canadian? (Hear, hear.) He is and has been fighting a shadow for months—fighting with the idea that everybody is anxious to make this road American, but himself. I believe nobody wishes to keep out Americans who may wish to invest capital in the undertaking, but that is a different matter from the road falling under American management; because it might lead to the delay of the enterprise and the conversion of it to purposes not Canadian, and the settlement of our lands for the benefit of others. Why should he assume that all the virtues centre in himself? I admit he is full of them. (Laughter.) "Because my hon. friend is virtuous, shall there be no more cakes and ale?" (Renewed merriment.) He seems to think that nobody else but himself can be good. I don't think there was the slightest danger of this Canada Pacific Company changing the charter and turning it into the hands of the Northern Pacific Company. My hon. friend pointed out in moderate, gentle language, which I fully appreciate, that there still might be a danger—that in London, where the field was larger than in New York, there might be still some slipping away of the interest confided to these gentlemen entrusted with the raising of the money, and about the probabilities of whose success the reports spread abroad are untrue. I am happy to say the reports we have received lead us to a different conclusion. Their prospects have advanced, and they are looking to a favorable result. [Cheers.] My hon. friend opposite apprehended this stock might be turned over to the Americans. Let us assume he had some ground for the original belief that Sir Hugh Allan might do so, why should he assume the present members of this company would lend themselves to a transaction which he describes as unpatriotic, and puts so far from himself? The gentlemen in England are known to members of this House, those who come from Quebec, Ontario, the Mari-

time Provinces and elsewhere are all well known; are they going to become traitors to their country—are they going to give up the money and land to promote the interests of the American Northern Pacific Road? Another objection the Senator from Toronto makes is that the capital to be subscribed is altogether inadequate. I find the Interoceanic Company was to have had just the same amount—ten millions—and the amount at first call, the same, one million. The directors reserved the power of making future calls.

Hon. Mr. MACPHERSON.—They don't in this case.

Hon. Mr. CAMPBELL.—I think I can explain the matter satisfactorily. The difference is one in favor of this company. First, as to the amount of share capital—the ten millions—the honorable gentleman was forced to admit that it was not contemplated that this road should be built on share capital, or that money could be borrowed in England on the strength of it. It was on the strength of the thirty millions subscribed by the Parliament, and the fifty million acres sanctioned equally by the Legislature, representing the people, that gentlemen were to go to England to raise the needed capital, and not on the strength of the ten millions share capital. What road has been built with the share capital subscribed here? There is no stock held in this country. My honorable friend will pardon me for intruding into his private affairs, by asking—has he any stock in the Grand Trunk?

Hon. Mr. MACPHERSON—He has had a very large amount.

Hon. Mr. CAMPBELL—I should suppose, from what I have heard, that if any gentleman was under an obligation to hold stock in that railway, it was my hon. friend, since, if tradition be correct, he derived great advantage from its construction. (Hear, hear and laughter.) But nobody here holds stock in it nor in the Great Western. Perhaps one or two do hold stock to qualify themselves as directors. Was the Northern Railway built on share capital? Was the Brockville and Ottawa? No. There has been none such.

Hon. Mr. MACPHERSON—Share capital has formed the basis.

Hon. Mr. CAMPBELL—What share capital formed the basis as to the Grand Trunk or Great Western? None. My honorable friend has had the advantage of many of us as to means. The truth is we are not rich enough to subscribe capital to build railways, therefore the community as a whole aids them, and we in the same way have offered to aid the Canadian Pacific Railway by the subscription

of thirty million dollars, and the grant of 50,000,000 acres of land. Our municipalities, in default of individual ability, have subscribed share capital to build some of our railways which could not otherwise have been constructed. Does my hon. friend think he can impose on the House and country by the suggestion that this share capital was one of the most important elements in the construction of the Canada Pacific road? If the capital was subscribed twice over, it would have made but a slight impression on this road. My hon. friend from Grandville appeared perfectly sincere in holding that the road would cost \$150,000,000. If so, what impression could the \$10,000,000 subscribed by the Interoceanic Company not paid up, and the million called up, have made on that enterprise? This capital subscribed and called up, was not for the purpose of constructing the road or for making progress with it, but for forming a company possessing sufficient pecuniary interest and standing in the country to guarantee that good men, vigorous, experienced, who could devote their energies, abilities and time to the building of the railway, should take hold of the enterprise. This idea of a combination of strong men, is alluded to in the correspondence and in the letters of both companies. The memorandum of the C. P. Co. alludes to it in strong, almost eloquent terms. I will read this portion:

“They regard with regret the decision of the Interoceanic Company, but as they conceive that it has been brought about chiefly by errors upon matters of fact, they are not without hopes that it may be reconsidered.

“In making the proposal of amalgamation, the Canada Company felt that so vast an enterprise required all the strength that could be enlisted in it. They believed that the Government aid, with all the advantages which the Government are empowered to grant, would not be in excess of the requirements of the undertaking, and that there was no room for attempting to diminish such aid or advantages by competition. They considered that the Government had adopted a wise policy in endeavoring to create by consolidation the strongest company possible, rather than to attempt to effect some insignificant saving by placing the two companies in competition with each other; and they felt that the only public spirited and patriotic course was to meet the desire of the Government frankly, and to consent to amalgamation without undue solicitude as to the terms of it. They believed that the gentlemen who repre-



sented the Interoceanic Company would be prepared, as they themselves were, to lay aside any feeling of rivalry that may have existed, and to act vigorously in concert with them for the benefit of the undertaking. But at the same time they were, and are, fully prepared to undertake and carry out the enterprise alone; as they have already ascertained by negotiation with English capitalists, that the plans they have formed for the requisite financial arrangements, can in all probability be carried out.

"With respect to the propositions which the Interoceanic Company seek to establish by the first portion of their statement, namely, that the organization should be pre-eminently national in its character, and that its means must be drawn first from Canadian, and second and chiefly from British sources; the undersigned have simply to say that any argument for the purpose of sustaining such proposition was quite superfluous, although possibly European capital may require to be sought for, outside of Great Britain—no one will dispute the advantages of committing the construction and running of the Pacific Railroad to a company of Canadian origin, and composed of British subjects; nor the disastrous results that might be expected from placing the enterprise under the control of the American Northern Pacific Railway Company. The Canada Company have always entertained the opinions enunciated in their statement on this subject."

I will cite a piece of evidence which I think my hon. friend will not gainsay. I ask him to remember the language he himself uttered last night. He said, urging upon the House the abrogation of the charter, and the construction of the road by the Government or country, that "no experienced man would put his money into the road, that the Government would have to provide the money."

Hon. Mr. MACPHERSON—I did not mean it in that sense. I said, with the information now in the possession of Sir Hugh Allan, it is impossible he can induce any man to put his capital into it.

Hon. Mr. CAMPBELL—I caught the language in the way I have given it. My hon. friend was not talking of Sir Hugh Allan at the time; he was discussing the resolutions pointing to the abrogation of the charter and the construction of the road by the Government, and it was with reference to that contingency he made the remark.

Hon. Mr. MACPHERSON—If the charter was abrogated, as a matter of course,

the Government would have to do <sup>th</sup>e work, and in view of that I stated what the expenditure and subscriptions might amount to.

Hon. Mr. CAMPBELL—There was no connection between the subjects in the remarks of my hon. friend. He said plainly no man would put his capital in the work, so the Government would have to supply the funds. I know he would not invest in it, and had no idea of such a thing. He thought of contributing his experience and influence, but not his capital. He contemplated getting that in England. Then among our other sins was mentioned the greatness of the borrowing power, \$40,000 a mile, to be increased as the Government may require it. This power is, in its force, precisely the same as was granted to the Interoceanic Company.

Hon. Mr. MACPHERSON—There is no elasticity.

Hon. Mr. CAMPBELL—If we had only had the hon. gentleman a member of the company, associated with Sir Hugh Allan, it would have been as elastic as possible. (Laughter.) He might have saved his own capital, borrowed and built the road. He said the borrowing power was not only too extensive, in itself, but the terms of the land-grant would involve this country in negotiations and difficulties, and under any circumstances, we should be allowed fair time to remedy mistakes and secure protection. If we had not known the history of the whole matter and the nature of the Act, I should have been alarmed, but I happen to remember the exact phrase of the hon. gentleman's act on the land subject. He used the phrase that the bonds to be granted should be a lien on the lands of the Company, possessed, or hereafter to be possessed. The two things are precisely the same, only put in different language. This shows what a hard position a Government one is. In attempting to do one's duty one is criticized by both friends and foes. In a recent number of the *Globe* newspaper, which now is pleased with the course of my hon. friend, though it was not always so, the Government is charged with dereliction of duty for not making this land grant sufficiently large in the other direction. It prophesied Sir Hugh Allan's mission would result in failure for the reason the land grant was not sufficiently plain, and that in defining it we had not gone further. My hon. friend, on the other hand, says we have gone too far. Now the language of this charter has been most carefully studied, and if it does not deal carefully with the circumstances, and carefully

describe every feature which it purports to do, it has not been for the want of close attention on the part of those interested, and who may be assumed to have some knowledge and experience in regard to such subjects. The moment the land to be acquired by the Company becomes its property, it comes under the lien of the bonds. The charter points out in what way and under what circumstances it shall become the Company's property. The Act says the money and land shall be granted as the work proceeds, in proportion to the results accomplished and the cost of construction. We were not sufficiently disregarding of the language of the Legislature to depart from this provision. We used the very terms of the Act in this particular. Thus if the whole line of road is 2,700 miles, a large portion would be in a fine, level country, and another in a rocky and mountainous one. It is not proposed we should give the same amount of land and money per mile for every mile of the work. But the cost of the whole and the character of the country, all will be considered, and the proportion the cost of the work done bears to the probable cost of the whole will govern the grant of the money and land. This is perfectly clear. Nobody about to take these bonds in England can, by any possibility, make a mistake. Everyone may have the charter itself before him. Then we say properly the land as it from time to time becomes the property of the company shall come under the lien the company has granted to secure their bonds. This is precisely the course pursued by the companies which my hon. friend from Toronto and Sir Hugh Allan belong to.

Hon. Mr. MACPHERSON.—Why is not the same language used as is in the Act?

Hon. Mr. CAMPBELL.—The words of my hon. friend's charter are not as accurate—not such as would be considered secure by a lawyer.

Hon. Mr. MACPHERSON.—They were prepared by the same lawyer who framed the other.

Hon. Mr. CAMPBELL.—The language in the honorable gentleman's Act is that the bonds shall be charged upon the land in possession of the company or which shall come into its possession.

Hon. Mr. MACPHERSON.—The words are the same in the two Acts of last session.

Hon. Mr. CAMPBELL.—The phrase runs "they shall be chargeable upon the lands in Co.'s possession, or which shall come into its possession." The words in our bill are more accurate. The difference

will commend itself to anyone desirous of using the English language accurately. Men describing the loan would rather say it shall be a loan upon lands "acquired and to be acquired" than upon lands "possessed and to be possessed." A question might arise as to what constitutes possession; there might be people or nobody on certain lands, and the question would be who the possessors are? Desiring to be accurate, we would rather say "acquired" or "to be acquired," and then show in another clause how those lands were to be acquired. As to the borrowing power taken, first we had forty millions, with power to increase it, and my hon. friend fears that the land will be liable whether we get the money or not. It puzzles me to understand how my hon. friend, with his good sense and large experience, can bring his mind to believe that men in England can be deceived into supposing they are going to get land as security for bonds in advance, and in defiance of the terms of the Charter. I doubt very much if my hon. friend could be so deceived. He would find out whether the land was acquired or not before he lent his money. The next point he takes against us is the price of the land; \$2.50 an acre he thinks enormous, and enough to prevent the settlement of the country. He apparently overlooks the fact that this is spoken of as the average price. There must, no doubt, be a great deal sold for even \$1.00 and \$1.50 and below. Much of the land contains coal and other minerals, including gold. Some places would be valuable for their water power, others for their timber, and such like advantages. We are speaking of an enormous tract; who is to say what the value of any portion of it will be ten or fifteen years hence at the rate of settlement and progress which we hope for. Is he right in blaming us for putting such an average value on these lands in face of the magnificent prospects of this country? Has anyone spoken to the Lieutenant Governor of this North-West country since he came down here, with his extensive knowledge of Quebec and Ontario, and heard his account of their fertility and other resources? Has anyone heard his estimate of the capabilities and prospects of the North-West? Certain it is if we fully cultivate its resources, if we succeed in carrying a railway through the country, we shall witness amazing strides of settlement and civilization. We shall have everything immensely enhanced in value in a decade, when \$2.50 will be considered but a trifling average price for the land.

Hon. Mr. MACPHERSON.—Where is it spoken of as an average price?

Hon. Mr. CAMPBELL.—In the body of the Act, clause 15.

Hon. Mr. MACPHERSON.—It says the upset price shall not be less than \$2.50.

Hon. Mr. CARRALL.—No. \$2.50 shall be the average price.

Hon. Mr. CAMPBELL said this is the average, and, all things considered, a very low one. The country is spoken of as much more fertile than that to the South.

Hon. Mr. MACPHERSON.—The hon. gentleman does not state the provision of this clause fairly. What I complain of is that the whole control of the land, the Government's as well as the Company's, should be in the hands of the Company.

Hon. Mr. CAMPBELL—I am surprised that my hon. friend wraps himself up in a series of delusions which everybody else sees through. It is plain the Government says what the average price shall be, and that the Company may sell its land at any price it pleases, so long as the average is kept at \$2.50, and the same with us. Some of the Company's will be placed at more than \$2.50, no doubt, but other portions at less. Will not the Company be as much interested in selling its land as the Government theirs? Will not the whole life of the Company depend upon its success in selling the land? What does the hon. gentleman himself say in his letter on this subject? That "the subsidy money is, in itself, insignificant relative to the large outlay necessary, and the fact that Company will have to rely on the disposal of the lands for the greater portion of the expenditure," renders it expedient they should be disposed of. Is not that likely to be the result? Is the Company likely to keep lands locked up, when its very life depends on their sale? Everybody can see this point but my hon. friend. The provisions in our act are copied from those of the Northern Pacific, except that it contains none of the safeguards we have introduced. It is plain the alternate sections belonging to the U. S Government cannot be sold at less than an average of \$2.50, and they are in a region that, from all we know, is infinitely inferior to our country. Ask our friends from Manitoba what the character of the Northern Pacific country is, compared with our route, a thousand miles of which, from the Red River to the Rocky Mountains, is through a fine prairie country. See if the American can compete with this region; and yet, in the Northern Pacific Railroad Charter, this was the price fixed for the land. Another part of my friend's argument was against a railway altogether,

that physically the country was not fit for a railway at all. Mr. Fleming was reported as much disappointed with it—that he had said that many of the lakes and streams were salt. The hon. gentleman also entered into a calculation showing the area of cultivated land in the Dominion, and in the United States, and he argued that, as it had taken Canada 100 years, and the United States 200 years, to settle those areas, respectively, we never should get our land settled to the extent anticipated, and that we were entering upon a railway era that must result disastrously. Well, the area of cultivated land in each country was about the same last year as at present. Why did he not point out these facts to us, then, before the faith and honour of the country had been committed to this enterprise—before we held ourselves out to the world as able to do this work? We are in no worse position now than we occupied then. He points out our difficulty and danger now when it is too late. But he is entirely mistaken as to Mr. Fleming. There can be no stronger evidence of his opinions—those of a man of cautious temperment, who has travelled through the country, and is qualified more than most men to form an idea of its true capability—than the fact, not that he has made a professional report or estimate, but subscribed for a large amount of stock in the company. He has shown his readiness to enter it and run some risks. I happen to know he believes there is a great future before this country, and has a high opinion of its fertility, and mineral resources, and does not doubt the capacity of the Dominion to build this road; that he thinks there will be no real difficulty if we are united, and if we attack the work with energy and caution such as we have so effectually displayed in days gone by.

Hon. Mr. MACPHERSON.—The rumours we have heard with regard to the character of the country were not before us last year. What I complain of is that the information obtained by the officers of the Government who crossed this country was not placed on our table.

Hon. Mr. CAMPBELL.—My hon. friend's criticism, looking from the past, points out that he would have reserved 25 per cent. of the land, and he states our reservation of nine millions of money is illusory. Supposing the road finished in ten or fifteen years; it would be impossible this large tract of country could be half settled. Who would be interested most in its settlement? Why the bondholders, the men who hold the land. You have a security there beyond all other kinds,

The bondholders, for their own sake, to realize their own money by the sale of the remaining lands will, with the nine millions which are reserved by the charter, afford ample security for the completion and running of the road. The hon. gentleman's plan would have diminished the borrowing powers of the company to the extent of 25 per cent., thus abstracted from the security of the bonds. Then he goes on to say he would abrogate the charter, and have the road built by the Government, notwithstanding the resolution of the other branch of the Legislature of 1871 and the Act of Parliament of 1872 just the other way. He says we were all wrong the last two sessions, including himself. He did not get the contract—therefore let it be swept away, and the Government build the road. I don't believe either that the country desires or that Parliament will sanction this proposal. He asks us to do, moreover, what we can't do. This House should not be asked to arrive at any conclusion it can't carry out. This course would be contrary to its dignity and usefulness. Instead of asking this House to resolve the railway should be built by Government, he should have brought in a bill to repeal the regulations of last year. So long as there is an Act of the Legislature, enacting this road shall not be built by the Government, these resolutions can't pass. He speaks of his disposition to keep faith with private parties, and satisfy their rights, shall his motion succeed—a motion absurd and contrary to common sense, Would the adoption of these resolutions be dealing in good faith with the gentlemen negotiating the securities at present? A large sum of money may now be about to be invested in this road, or arrangements made be in progress for that object. The abrogation asked would be contrary to good faith with all parties, including Manitoba and British Columbia, which stipulated the road should be begun and completed with the least possible delay. This is not merely a charter but a charter-contract—a charter, to have the effect of a contract.

We should have heard not a word of all this dissatisfaction, or about the abrogation of the contract if we had been fortunate enough to have secured the assistance of the hon. gentleman. I acknowledge fully and freely our responsibility in this whole matter. We acted for the best throughout. We endeavoured to combine the two companies, so as to secure the assistance of the best men in the country. We should have been glad of the hon. gentleman's help, but did not

deem it advisable to deal with one company in preference to the other. One had more or less the character of an Ontario, and the other, of a Quebec Company. We desired men of character, means and talent from all the provinces, believing that the wisest policy for the country. I asked my hon. friend, last evening, if he was content to put the resolutions as a whole, to which he objected. I therefore propose to take a course which, I think, will enable the House to arrive at a satisfactory conclusion as a whole. I think every member will agree that these resolutions ought to have been put as a whole, and ought so to be voted upon. Why resolve about one or two clauses, such as the first and second, respecting a certain Act of Parliament, having existence if they are to lead to no conclusion? These resolutions are a series of steps pointing to the various stages the hon. gentleman's mind was in till he arrived at the conclusion, embraced in the three last paragraphs—that the charter should be abrogated, and the work done by the Government, and therefore, to give hon. gentlemen an opportunity of passing upon these resolutions as a whole, I will move in amendment, seconded by the hon. Mr. Aikins:

To *Resolve*, That under the powers conferred by the Parliament at its last session the Governor in Council having granted a charter contract to a company to construct the Pacific Railway, which charter contract is in full force, it is inexpedient with a view to the early commencement of the railway, and the keeping of faith with British Columbia as regards the terms upon which that province united itself with the Dominion, to consider any of the resolutions now on the table of the House,—and that the House therefore proceed to the Order of the Day, next after the said resolutions.

(The hon. Postmaster General, having spoken for nearly two hours, sat down amid cheers.)

Amid cries of question, and after the Speaker had asked shall the amendment be put?

Hon. Mr. CARRALL said he would like to say a few words before the question was disposed of finally.

The SPEAKER replied the amendment was about to be put, but that need not prevent the hon. gentleman speaking on the main motion. He should then have an opportunity.

The division was then taken with the following result.

Contents—Hon. Messrs. Aikins, Archibald, Armand, Benson, Botsford, Burn

ham, Campbell, Carrall, Chapais, Chauveau, Chinic, Cochrane, Dickey, Dumouchel, Ferguson, Ferrier, Flint, Girard, Guevremont, Hamilton (Inkerman), Kaulback, Kenny, Lacoste, McCelan, (Hopewell,) McDonald, (Toronto,) McLellan, (London-derry), Macdonald, (Victoria,) Macfarlane, Muirhead, Northup, Olivier, Panet, Perry, Price, Read, Robertson, Ryan, Shaw, Skead, Smith, Sutherland, Vidal, Wark, Wilson. Total yeas, 44.

Non-Contents—Hon. Messrs. Blake, Bureau, Chaffers, Christie, Cormier, Dickson, Letellier de St. Just, Locke, McMaster, Macpherson, Malhiot, Reesor, Simpson. Total nays, 13.

The SPEAKER said the question was now on the main motion as amended.

Hon. Mr. CAMPBELL said the carrying of the amendment put the question out of all further debate, for it set aside the main motion.

Hon. Mr. BUREAU said it was understood there would be an opportunity for further discussion, and in order to secure it, he would give notice for the next day.

Hon. Mr. CHRISTIE referred to the Speaker's promise that there should be an opportunity for discussion on the motion as amended, upon which Hon. Mr. Carrall and other Senators gave way before the amendment was put. He (Hon. Mr. Christie) thought the amendment itself was not respectful to his hon. friend from Toronto or to the Senate.

Hon. Mr. DICKIE was very unwilling the debate should close with the impression the last Hon. Senator desired to create. It would have been very much better, perhaps, he had allowed the matter to stand. It was quite unjustifiable to cast such reflections upon the hon. leader of the government. It was quite open to the Postmaster General to move the previous question, and shut off all debate. The intimation of the Speaker admitted of this meaning—that if the amendment was negatived, the question would be open to debate; but the question was not put, whether, if this amendment was carried, debate should be shut out.

The SPEAKER begged to correct the hon. gentleman. He (the Speaker) understood the question was, whether there could be a debate on the main motion as amended, and he believed there could.

Hon. Mr. CARRALL did not wish to take advantage of any mistake made, but did think the Government would have afforded them an opportunity of ventilating their opinions.

The SPEAKER did not admit he had made any mistake. He considered it a

general rule that all motions were to be put as amended, and that a debate could take place upon any motion put from the Chair, except a motion for the previous question.

Hon. Mr. MACPHERSON thought it would be unfair to take any advantage of the present misunderstanding.

Hon. Mr. CAMPBELL condemned any accusation of this kind as unjust. He did not try to prevent any hon. gentleman speaking before the division. A pause ensued, and any member might have had the floor.

Hon. Mr. LETELLIER DE ST. JUST said he thought the only way to secure just treatment, and the proper rights of this side of the House in the matter, was to move the adjournment, which would give members who desired to speak the proper opportunity.

After some further discussion,

Hon. Mr. MACPHERSON said it was quite obvious that the Government were anxious to avoid a discussion on the subject. He then proceeded to reply to the speech of the Postmaster General. He said if the Government did not intend to create competition, there was no reason whatever for granting them the extraordinary powers conferred upon them. The present company, so far as it was Canadian, was a sham company, and had not the confidence of the people of this country. Its leading members were the very men who had entered into an agreement to hand over the road to Americans.

Hon. Mr. CAMPBELL called Question. The question was adjournment.

Hon. Mr. MACPHERSON said he was perfectly in order, and it ill became the hon. gentleman to manifest such impatience after having prevented the House from voting on his resolutions *seriatim*.

Hon. Mr. LETELLIER DE ST. JUST said the Postmaster General now wished his amendment to have the effect of a motion for the previous question, though it was not so regarded when it was voted upon. It was evident that the Government wished to shirk the debate. The Speaker had already ruled that the question was still before the House, and the Government should not resist the debate thereon.

Hon. Mr. CHRISTIE said the motion of amendment was now decided to be the subject of debate, but the Government would not succeed in that. They made a great mistake if they supposed by this movement to prevent discussion. The country would feel that there was something to conceal when it was seen how eager the Government was to prevent de-

bate. However, the question would be discussed upon another occasion, whether the Government liked it or not.

Hon. Mr. CAMPBELL did not consider the hon. gentleman's remarks at all called for. He (Mr. Campbell) did not try to prevent debate. Every hon. gentleman had an opportunity of speaking, but none rose. Now appeals were made to him, for leave to speak. He had nothing to do with it.

Hon. Mr. CHRISTIE repeated his complaint of unfairness on the part of the Government, whom he charged with a desire to choke off discussion upon a question with respect to which they felt feeble and apprehensive. He complained, moreover, of the unwillingness of the Government to produce information required by hon. gentlemen. He himself had to ask twice for certain papers; although they had a majority, a sinister movement would not serve them.

Hon. Mr. FERRIER could not understand why the last speaker should blame the Government. When the amendment was put, why was the matter not discussed? Hon. gentlemen who did not speak then were themselves to blame. We were disputing now, after having decided the matter. It was now beyond the House. Hon. gentlemen should have opposed the amendment at the proper time.

After further discussion, participated in by Hon. Messrs. Letellier de St. Just, Aikins, Christie, Campbell, and Wark,

Hon. Mr. CHRISTIE gave notice that on Monday he would move that a Committee be appointed to take into consideration all the matters relative to the granting of the contract of the Canadian Pacific Railway, previous and posterior to its being signed, with power to send for persons, papers and records.

The motion of Hon. Mr. LETELLIER DE ST. JUST for adjournment was declared carried.

MONDAY, April 21.

The SPEAKER took the chair at three o'clock.

A question of order, understood to be connected with the Speaker's decision on the right of a member to speak on a question after the adoption of such an amendment as that of Hon. Mr. Campbell's, to Hon. Mr. Macpherson's Pacific Railway resolutions of Friday last, was brought up and discussed for over an hour. The matter was said to have been left in abeyance.

After routine business,

Hon. Mr. AIKINS laid on the table the

report of the Minister of Marine and Fisheries for the past year.

Hon. Mr. DICKEY gave notice of a motion for information as to whether any arrangement exists between the Government or Department of Public Works and Sir Hugh Allan or the Montreal Telegraph Company to give him or them the exclusive right of erecting and working telegraph lines along the line of the Intercolonial Railway, and as to those liable for the expense of erecting a telegraph line between Truro and Amherst, the paying for messages, etc.

#### ENQUIRIES.

Hon. Mr. WILMOT said it would be in the recollection of hon. members that a Bill was passed in another branch of the Legislature last session, and which afterwards came before this House, for the repeal of the Insolvency law, but to which a large majority of the Senate were opposed, and as this law would expire in September next, and as petitions on the subject had come in from nearly every Board of Trade throughout the Dominion, the question arose whether action should be taken with a view to the continuance of this law. He could speak for the Province he came from, and say it would be very undesirable to allow matters to go back to the state of things existing prior to the passage of these laws, when a preference might be given to any particular individual in view of a failure, to the depriving of the creditors, generally, of a fair division of the property of the debtor. Therefore, in the interest of the creditors, as well as of the honest debtor, he thought the law ought to be re-enacted, and more particularly looking to the present state of financial affairs. He noticed in reports from New York and other places, that the rate of interest had ranged lately from 7 to 365 per cent per annum, and considering the state of the money market in Montreal and London, and the high rates there prevailing, also, he thought it would be most unfortunate if the country should be left without an insolvency law. Therefore he asked the question of which he had given notice. "Whether it is the intention of the Government to submit to Parliament during the present session, a measure for the continuation of the existing insolvency laws."

Hon. Mr. CAMPBELL said the circumstances to which his hon. friend had alluded, that there was a vote passed in another place, in opposition to the views subsequently elicited in this branch of

the Legislature, made the question one which the Government was obliged to consider very carefully, perhaps anxiously. In reply, he begged to state the question was still under the careful consideration of the Government.

Hon. Mr. REESOR said he was led to make the motion in his hands from the fact that he saw among the names of those who acted as attorneys to the parties subscribing stock in this Canada Pacific Railway Company, the name J. A. Macdonald. It was quite possible it might not represent the Right Hon. Sir John A. Macdonald; but if it did, it placed him in a peculiar position, as acting in a double capacity, both as chairman or a principal in a company, and as representing the people of Canada, in letting this contract. The necessity for this return might be removed if the Postmaster General could say that the present J. A. Macdonald was not the hon. Premier. If not, he (the mover.) thought the return should be brought down. He moved, that an humble address be presented to His Excellency the Governor General; praying that His Excellency will be pleased to cause to be laid before this House copies of all powers of Attorney used by J. A. McDonald, J. J. C. Abbott, H. N. Nathan, jr., and D. and M. N. Smith, on behalf of F. Cumberland, D. McInnis, J. B. Beaudry, jr., J. S. Helmsken, and Andrew McDermot in their subscription of certain articles of agreement in reference to the Canada Pacific Railway, dated the 31st day of January last, and also in the subscription of stock for the formation of a company for the construction of the said railway, also dated 31st day of January last.

Hon. Mr. CAMPBELL said the J. A. Macdonald mentioned in the paper was the Right Honourable Sir John A. Macdonald, the Premier and Head of the Government. (Cheers). So far as the significance of his name was concerned, he (Mr. Campbell) need not send for papers, because he had no power of attorney. There was no power of attorney. He acted under private authority, authority of another nature. As to the other part of the address, relative to the power of Attorney which J. J. C. Abbott and M. N. Smith and others acted upon there was no objection. He (the Postmaster General) did not know on what authority they acted.

Hon. Mr. LETELLIER DE ST. JUST suggested that as the Government were willing to give the answer as to the Premier, as just heard, it would be as well to state there was no such power of At-

torney as regards Sir John A. Macdonald, and then give the papers as respects the other parties.

Hon. Mr. CAMPBELL assented to the address as thus altered

#### CANADIAN PACIFIC RAILWAY CONTRACT.

Hon. Mr. CHRISTIE said he wished to drop the notice on the paper, under his name, on this subject, and to substitute therefor another. On Thursday next he would move, "That a Committee be appointed to enquire into and report from time to time on all matters relative to the contract for the construction of the Canadian Pacific Railway, granted to Sir Hugh Allan and his associates, prior and subsequent to its being signed, with power to send for persons, papers, records and telegraphic despatches by Atlantic cable or otherwise, including all communications between Sir Hugh Allan or any of his associates now in England, and the government or any member thereof, or any person in their behalf.

Hon. Mr. CAMPBELL moved the second reading of the bill relating to a Central Prison for Ontario. He said it was not printed, but would be shortly. He hoped, however, the second reading would be agreed to in the meantime.

Hon. Mr. LETELLIER objected to the second reading till the bill was printed and before members. He complained of the way in which the government printing contracts had been signed and executed. There were frequent delays, most important bills and papers not being submitted till long after the proper periods. He would object hereafter to the consideration of all measures not printed even in French.

Hon. Mr. CAMPBELL admitted the right to object, but said it would be difficult to get on with the public business if the rule was enforced strictly. The government were not to blame for the delays.

On the motion of the Hon. Mr. Campbell the order of the day was discharged, the bill standing for second reading on Wednesday.

On motion of Hon. Mr. Aikins, a similar course was taken with regard to the Port Wardens' Law Amendment Bill—Montreal and Quebec.

Hon. Mr. LETELLIER moved the discharge of the 6th order for the second reading of the Provincial Legislators disqualification for the House of Commons Bill [from the Commons], and the second reading on Wednesday. Carried.

Hon. Mr. FERRIER moved the second reading of the Three Rivers Bank Incorporation Bill [from the Commons] and its

reference to the Committee on Banking and Commerce.

Hon. Mr. BOTSFORD moved the second reading of the Bill from the Commons, entitled the Maritime Improvement Company Incorporation Bill. He explained its object was to empower certain gentlemen in St. John to be incorporated for the purpose of organizing a company to undertake the building of works of various kinds throughout the Dominion, either of a public or private nature. Motion carried.

Hon. Mr. SIMPSON moved the adoption of the second and third reports of the Joint Committee on Printing. He said they contained nothing of much importance, and explained their principal points briefly. Carried.

Hon. Mr. McMASTER moved the second reading of the Bill from the Commons—the Isolated Risk Insurance Company's Amendment Bill. He explained the object, which was to change the name of the Isolated Risk Insurance Company of Canada to the "Isolated Risk and Farmers' Insurance Company of Canada." Preliminary arrangements had been made for an amalgamation which the Bill asked authority to complete, and also, that the directors might, in the ordinary way, be empowered to declare dividends. Motion carried.

Hon. Mr. FERRIER moved the second reading of the Bill, from the Commons, to incorporate the Dominion Board of Trade. The Bill simply sought to put the association in a proper position. It had already held several meetings. Carried.

Hon. Mr. FERRIER moved the second reading of the Bill, from the Commons, entitled the Canada Guarantee Company's Amendment Bill. Carried.

On motion of Hon. Mr. CAMPBELL, the House adjourned till Tuesday.

TUESDAY, April 22.

The SPEAKER took the chair at three o'clock.

After routine business,

Hon. Mr. FERRIER moved the third reading of the Montreal Investment Company's Bill. Carried.

Hon. Mr. VIDAL gave notice of motion for a select committee to whom all petitions for a prohibitory liquor law shall be referred.

#### THE MARTIN RELIEF BILL.

Hon. Mr. DICKEY moved the consideration of the report of the select committee on Martin's Relief Bill, together with

the evidence in support thereof. Carried on a division.

Hon. Mr. DICKEY next moved the third reading of the bill for the relief of John Robert Martin, seconded by Hon. Mr. Botsford. Carried on a division. Contents, 34; non contents 18. The bill was passed on the same division.

#### CONSIDERATION OF AMENDMENTS TO BILLS FROM THE COMMONS.

Hon. Mr. AIKINS moved the consideration of the amendments made by the Commons to the Department of the Interior Establishment Bill. He said they were merely verbal, and explained the chief. He then moved concurrence in said amendments.

Hon. Mr. CHRISTIE—What are they?

Hon. Mr. AIKINS gave further explanations, saying one was to the effect that the Queen's Printer should be held to be an officer of this department. He was put in connection with the Secretary of State by the bill.

Hon. Mr. BUREAU said we ought to be very careful in adopting these verbal amendments, which did, not taken by themselves, always give us the full sense and effect of the changes made. There are many instances, unfortunately, of changes of this kind made here of a serious character, which at the time hon. gentlemen did not understand. I will give a case in point. Last session only a word was added to the Pacific Railway Bill, which came from the other House, by an independent member, which constituted a grave and serious change indeed. The one word added was so important as to affect the message of His Excellency, and the provisions or principle adopted in the other House, respecting the grant of money and land. The word introduced was "proceeded" with instead of "completed," which made a great deal of difference. Now, the builders of the road can have such grants when they "proceed" with the work, instead of when it is "completed," the word first employed. This was a dangerous alteration. In fact, no proposition for a grant of money or land can be introduced into this House without a message from His Excellency, and we made this change without perceiving it or its consequences. The bill then returned to the other House lay there three or four days, and the amendment was concurred in, one night, after twelve o'clock, evidently unnoticed by any body. I think it right we should, in view of these facts, be careful, as we have time to examine and discuss these matters, and the country expects watch



fulness and deliberate action at our hands. If I ask the hon. gentleman to leave these amendments over till to-morrow, therefore, I don't think the public interests will suffer.

Hon. Mr. CHRISTIE concurred in the remarks just made. He felt there ought to be due caution in these matters. The amendment referred to had been made without the notice of hon. members, himself included, and it was unquestionably of a very grave nature. The bill as it came from the House of Commons contained the word "completed" as the condition for the giving of the land and money subsidy. An independent member—not a Minister—rose at a late period of the sitting, and proposed the substitution of the words "proceeded with," instead of the word "completed," producing a change of a most momentous character. It changed the form of the message of His Excellency to the House of Commons. It was a grave question whether or not it was competent for the Senate to make this change. He (Hon. Mr. Christie) doubted very much whether it was, without an additional message from His Excellency.

Hon. Mr. AIKINS said although he explained the changes yesterday, he had no objection. He moved the discharge of the order and the consideration of the amendments to-morrow. Carried.

#### THE PRINTING.

Hon. Mr. SIMPSON made a few explanations on the subject of the printing for the House. He said he had had interviews with the official printer, who stated he had employed some sixty hands, and advertised in the chief cities for more, but without success. He had all the men he could procure, and at wages higher than were paid in almost any other town or place in Canada. He had made his men work on Sunday, a week or two ago, to catch up with the public work, and had paid high rates for overtime. He (Hon. Mr. Simpson), believed he was doing all he could to have the work well and expeditiously performed. He complained that in a recent instance the French proofs had been so badly corrected, by somebody in the departments, that it would have been cheaper to set up the type again. There were fully 1,000 alterations. Moreover, a bill in the orders for yesterday, was only given to the printer in the morning to put in type.

In reply to Hon. Mr. MACFARLANE,

Hon. Mr. SIMPSON said the printer was not taking any outside work. He had

transferred his newspaper and other work to new parties.

Hon. Mr. CARRALL corroborated the above statements.

Hon. Mr. CAMPBELL said the House was indebted to the hon. chairman of the Printing Committee, (Mr. Simpson,) for the information just given, and he thought he would be but expressing the opinion of the House if he suggested that the Speaker should enquire into the matter of the extraordinary number of corrections made, complained of by the printer. It was unusual to make anything like a thousand corrections, which was calculated to delay the work very much.

On the motion of the Hon. Mr. CAMPBELL, the House then adjourned till Wednesday.

WEDNESDAY, April 23.

The SPEAKER took the Chair at three o'clock.

Hon. Mr. CAMPBELL introduced a bill—An Act to extend an Act passed in 33 Vict., to amend the Penitentiaries Act of 1868:

#### QUESTIONS—THE MONTREAL TELEGRAPH COMPANY.

Hon. Mr. DICKEY asked: 1st. Whether any arrangement exists between the Government or the Department of Public Works and Sir Hugh Allan or the Montreal Telegraph Company, to give him or them the exclusive right of erecting or operating telegraph wires along the line of the Intercolonial Railway?

2nd. Whether the expense of erecting the telegraph line along the Intercolonial Railway between Truro and Amherst, now used for railway purposes, has been or is to be borne by the Government, or by whom, or do the Government or the Railway Department make any payment, per message or otherwise, for the railway business done over this line?

Hon. Mr. CAMPBELL said he had mentioned the subjects of the enquiries to the Hon. Minister of Public Works, who informed him that there is an agreement, in writing, between Sir Hugh Allan, as head of the Montreal Telegraph Company, and the Government on the subject. That the Hon. Minister suggested, however, in view of the fact that he did not, at the moment, remember all the circumstances, that the hon. gentleman should ask for the paper itself, which there would be no difficulty in bringing down.

Hon. Mr. DICKEY—As to the second enquiry?

Hon. Mr. CAMPBELL—That was the answer given as to the two. He would draw the Hon. Minister's attention to the second query again, and if any other information could be had he would state it to the House.

#### OFFENCES AGAINST THE PERSON.

Hon. Mr. CAMPBELL introduced a bill entitled, "An Act to amend the Act respecting Offences against the Person."

#### THE PRINTING COMMITTEE.

Hon. Mr. SIMPSON moved the adoption of the fourth report of the Joint Committee on Printing. He explained that the report recommended the printing of certain documents while rejecting the claim of others. Carried.

#### CENTRAL PRISON—ONTARIO.

Hon. Mr. CAMPBELL moved the second reading of the bill respecting the Central Prison for the Province of Ontario. He stated that it had been prepared by the Attorney General of that Province, and was designed to carry out an arrangement made by the Government of that Province with regard to the Central Prison. It had been thought by that gentleman and the Attorney General for the Dominion that it was necessary, in order completely to carry out the views and wishes of the Provincial Government, that the powers sought for by this bill should be given by Parliament.

Motion carried.

#### ALIENS IN BRITISH COLUMBIA.

Hon. Mr. CAMPBELL moved the second reading of the bill respecting aliens in British Columbia and Manitoba. He said this bill was suggested to the Government of the Dominion by the Government of British Columbia. It seems that in that Province they have an Act respecting aliens and naturalization, permitting of naturalization by a year's residence. The period in the rest of the Dominion is three years. They desire in British Columbia the extension of the Dominion law to that Province, but not that any persons now living there should be prevented acquiring the rights of naturalization and citizenship upon one year's residence. The Bill would continue that privilege to present residents, but those going thither afterwards will fall under the ordinary laws of the Dominion on this subject. It would be the same thing as respects Manitoba.

Hon. Mr. CARRALL said he would certainly offer no objection. He would direct attention to one feature of the present law

deserving of notice. Naturalization papers could only be taken out during the sessions of the Supreme Court. He would like to know the Canadian facilities, whether a person could not take the oath of allegiance at any time before some easily accessible Court or Magistrate, having fulfilled the conditions of residence. He had always looked upon the British Columbia law as cumbersome, as regards the tribunal appointed for the oath. Men lived faster there than in Canada, one year being a longer period than three in the Eastern Provinces. (Laughter.) He objected to the present facilities of British Columbia as inadequate, costly and productive of great inconvenience in the case of settlers living at magnificent distances from the court.

Hon. Mr. CAMPBELL explained the law of the Eastern part of the Dominion requiring the oath to be taken before a Recorder, a Justice of the Peace, or in one of the inferior courts, with a view to the preservation of evidence of the fact for use in future in certain cases, including the transmission of property. If evidence were not kept it might be difficult to ascertain subsequently whether the oath had been taken, and the person had become a British subject. The action here taken by the Court of Quarter Sessions, or the Circuit Court, it was proposed to require of the Supreme Court of British Columbia. He did not know whether such an improvement as the hon. gentleman might think advisable could be made. He (Mr. Campbell) believed there was no Court of Quarter Sessions in that Province.

Hon. Mr. CARRALL said there were no County Courts.

Hon. Mr. CAMPBELL said if any assistance could be rendered by the hon. gentleman in devising an improvement of this means, he should be most happy to cooperate with him. The bill required a person to appear before the Supreme Court, where it should be made of record that he had become a British subject.

Hon. Mr. CARRALL said he would recommend the use of other tribunals than the Supreme Court, which met only twice a year, and would require long and difficult journeys on the part of many seeking naturalization papers. He would be glad to give all facilities to the extension of the aegis of British citizenship over willing individuals.

Hon. Mr. DICKEY agreed with the hon. Senator from British Columbia, that instead of creating any obstacles to the assumption of British allegiance by newcomers, it should be made as easy as possible. He could not understand why in a

new country, to which they desired to attract emigrants or strangers, difficulties should be placed in the way of Frenchmen, Germans or Americans entering it and making it their home. (Hear, hear.) In Nova Scotia, he believed, the period of qualification for citizenship was limited to one year's residence. They had a very simple process of naturalization. By making an affidavit of allegiance and filing it in the office of the Clerk of the Peace, who was a county officer, and a duplicate in the Provincial Secretary's office, a person became a British subject. Thus there was a duplicate record of the transaction. They found no difficulty in the practical operation of that act. He hoped this point would be considered, and that a County Officer might be directed to keep the record so that a party might not have to travel fifty, one hundred, or five hundred miles to qualify himself for a British subject. He thought it absurd and foolish to require a three years' residence at this era. He thought one year's residence should suffice for the whole Dominion.

Hon. Mr. CARRALL suggested such amendments as might enable any person, at any time, to become naturalized. He thought we should learn from the Americans, who gave every encouragement to aliens in this matter.

Hon. Mr. CAMPBELL said they required three years residence. An alien, after a very short time, by a declaration of his intention to become a citizen was immediately clothed with all the attributes of citizenship, though perhaps he was not eligible for office. The Americans were somewhat in advance of us in this respect. He would be happy to confer with the hon. gentleman with a view to any desirable amendments. The subject of the value to be given an alien's declaration of intention to become a citizen of the Empire, and the point of the proper period of residence had been considered by the Government before, and with reference to Manitoba also. His own opinion had been that one year was enough, but his colleagues thought three years was required. It was suggested that as we were acquiring a very large territory in the Northwest, the qualification of one year's residence might attract many persons from other places, who might abuse the privilege and strive to make another Texas of the country for the benefit of foreigners; and that intending citizens could not feel it a hardship to be required to reside three years in the country. Parliament held the same opinion. He quite agreed that all reasonable facilities should

be granted those desirous of becoming subjects of the Crown, and that if this could be achieved by the use of additional Courts for the administration of the oath, with the view to the securing proper evidence, for the purpose of the descent of property, this means should be turned to advantage. He was in favor of all possible improvement in this respect and would receive the assistance of the Senator from British Columbia with a great deal of pleasure.

Hon. Mr. CARRALL said he would be happy to give it.

After some further remarks by the Hon. Mr. DICKNEY in explanation of the knowing origin of the three years condition in the United States law, and in favor of the amendment, the motion was carried.

Hon. Mr. AIKINS moved the consideration and adoption of the amendments made by the Commons to the Department of the Interior Establishment Bill. Carried.

#### THE COTEAU CANAL.

Hon. Mr. WILSON presented a petition from the Town of St. Johns, C. E., praying for the construction of a canal on the north side of the St. Lawrence, from the Cascades to Coteau Landing.

On motion of Hon. Mr. CAMPBELL, the House then adjourned till Thursday.

#### THURSDAY, April 24.

The SPEAKER took the chair at three o'clock.

After routine,

Hon. Mr. CAMPBELL said he had considered the second enquiry made by Hon. Mr. Dickey, with reference to the telegraph line along the Intercolonial Railway, between Truro and Amherst, and the cost of its erection, and, as all the information required by both questions was contained in the contract entered into, he had ordered a copy to be laid on the table of the House.

Hon. Mr. CAMPBELL gave notice that he would move at the next sitting, that when the House adjourned it should stand adjourned till Monday at half-past seven p.m.

#### THE PACIFIC RAILWAY CONTRACT.

Hon. Mr. CHRISTIE said he regretted that in consequence of the illness and absence of his hon. friend, the Senator for Grandville, (Hon. Mr. Letellier) he would have to postpone the consideration of his motion till Tuesday next.

## PROHIBITORY LIQUOR LAW.

Hon. Mr. VIDAL moved the appointment of a special committee, to whom shall be referred all petitions presented to this House, praying for the enactment of a law to prohibit the manufacture and sale of intoxicating liquors. He said—I need scarcely dwell on the importance of the matter which this motion brings under your consideration. The simple fact that such a vast number of petitions have been presented to Parliament, coming not merely from individuals, but from municipal and other bodies, and the knowledge we have that the great Province of Ontario, speaking through its Legislature, has memorialized the House of Commons with the same object, are sufficient to make the matter one of vast importance, to which we may very well devote our attention. I do not propose to use arguments at present in favour of a prohibitory liquor law. That will come up in due time, when the Committee I ask for presents its report. But I do call attention to the desirability of legislation in this direction. We know for a long term of years it has been attempted to regulate the traffic in intoxicating liquors. We have on the Statute book of the Empire 4,052 statutes, all directed to this end, to repress, or reduce if possible, the serious evils which are acknowledged to result from this traffic. The addresses of Grand Juries and Judges, the statistics at command, and the evidence of all connected with the administration of the criminal law, impress us with the fact that, to this cause, intemperance is due, as well as a very large proportion of the crimes committed. Intemperance crowds our lunatic asylums and jails. I know that legislation of the kind contemplated is considered by some an interference with personal rights and privileges. But do we not at present, by our law, deprive many of the right of making or selling liquors which is got by the payment of license? I know prohibition would affect the revenue of the country injuriously, and that it may appear to some an unwise policy. I know well that the revenue thus raised, I and many others who do not pay a dollar upon spirits, would have to contribute to make up. But when we look at the expenditure that might be saved, we have a measure of the importance of this proposed legislation. There would be a great reduction in the cost of preserving the peace and securing the well-being of society. This is not a new experiment, but one that has been tried with success in many other places, and I do trust that, profiting by their experience, when we

attempt legislation on this subject, it will prove effective and permanent, diminishing greatly or exterminating this vice in the course of a few years. We are told we can't make men sober by Act of Parliament. That is not the object before us, but the protection of those who are suffering in person, worldly circumstances, and mind by the prevalence of intemperance in our land. I do trust this subject will not be allowed to drop, but that Parliament will pass strong and efficient measures in the direction prayed for by my petition. I would like the country to understand that Parliament is in earnest. If the motion passes, it may have a good effect on the minds of those who might be disposed to engage in this traffic, it might tend to prevent the erection of distilleries and breweries, and prepare the way for our abolishing the evil, without acting quite so violently as interfering with certain rights and privileges now enjoyed by others. (Hear hear.)

Hon. Mr. FLINT seconded the motion, saying the vast number of petitions presented to the House on this subject, shows it is necessary for us to take some action upon them. I think the present is a move in the right direction. (Hear, hear.) Although I do not believe or expect we shall obtain a prohibitory law this session, yet I think these petitions and the action of Parliament may lead to such a collection of statistics as should impress every legislator, desiring the good of the country, with the necessity of enacting such a law. So long ago as 1843, I moved in Parliament, then at Montreal, for a committee of five to consider the crime and other results flowing from the use of intoxicating liquors. With great difficulty I got a committee of five, but the session being short, we did not succeed in doing anything. In 1849, however, I got a committee of fifteen. We produced an elaborate report, which was printed and circulated by thousands. That did considerable good in arousing some who had never thought on the subject, to the importance of doing something to arrest the progress of intemperance. In 1855, I think, we had another committee at the head of which was the Hon. Malcolm Cameron. It reported, and from time to time ever since, this question has been urged upon the attention of the Legislature, but never so strongly as at present. The only object I and others have in advocating a prohibitory law is the alleviation of the condition of the victims of intemperance. I believe it is our duty as a rising nation

to endeavor to arrest the evils of drunkenness—to settle our country, and attract emigration, but more particularly to strive, by means of proper laws, to keep among us all our own people. If there is anything which tends to depopulate the country it is the use of intoxicating drinks. We cannot take up a newspaper without encountering reports of crimes and tragedies from this cause. Our prisons and asylums present strong testimony on this subject. We certainly have a right to interfere with vested rights or privileges whose consequences are seen in the injury and ruin of our fellow men. We cannot help concluding that the revenue derived from liquor is a small compensation for the vast amount of the crime, poverty and misery that emanates from the traffic in liquor. We should prepare for a strong Act of Parliament by next session to relieve our land from this great curse. The question of remuneration to those whose rights were interfered with could be considered fairly. England spent twenty millions sterling for the abolition of slavery, and with good results, and it would be better for us, as a new country, to spend millions upon millions than leave this evil to operate in our midst. Our progress and prosperity in ten or twenty years would be enormous. I trust we shall, in co-operation with the House of Commons Committee, elicit such an array of facts and figures, and such a host of petitions as will contribute powerfully to the reform I advocate. It is the duty of the Government to provide in some other way for the revenue now derived from this traffic. It would be a proud day in my life, to witness the passage of a prohibitory law. For 40 years I have been working for this object, and I trust I shall live to see it accomplished. (Cheers).

Hon. Mr. CARRALL, in the course of some amusing remarks, said he was not opposed to the motion, but thought the Government should state their policy on this question, and to get at all facts and opinions, some members of different views from the mover should be put up on the Committee.

Hon. Mr. AIKINS said as far as he was concerned as a member of the Government and the House, he would be happy to see the committee appointed. He trusted it would present an elaborate and useful report to the House. He had no doubt it would be of a character to engage the attention of the House and Government.

Hon. Mr. LOUKE asked if it was the

policy of the Government to carry out the measure or report contemplated.

Hon. Mr. AIKINS replied they had better see the report first.

Motion carried.

#### CENTRAL PRISON BILL.

On motion of Hon. Mr. CAMPBELL the House went into Committee on the Central Prison for the Province of Ontario bill, Hon. Mr. Oliver in the Chair. The mover explained it was intended, among other objects, to relieve the Penitentiary of the care of prisoners under certain circumstances.

The bill was reported without amendment.

#### PORT WARDEN'S BILL.

Hon. Mr. AIKINS moved the second reading of the bill from the Commons, entitled the "Montreal and Quebec Port Warden's Laws Amendment Bill," whose chief object he explained, namely, the increase of the penalty for clearing loaded vessels without the permission of the Port Warden, from \$40 to \$800. Last year 100 vessels left those two ports without this permission, or certificate, paying the small fine of \$40. The consequence was that six were lost in consequence of the improper storage of their cargoes of grain. Hereafter it is desired that no vessel shall leave without a clearance from the Customs' Officer as well as the Port Warden.

In reply to Hon. Mr. CARRALL'S request for further information,

Hon. Mr. MACPHERSON repeated the explanation already given, stating ship captains disregarded a petty fine of \$40; \$800 was, however, another matter. Great evils and losses resulted from careless storage of cargoes.

Bill read second time.

#### ADMINISTRATION OF OATHS BY PARLIAMENTARY COMMITTEES.

On the order for the second reading of the bill from the Commons, respecting the examination of witnesses on oath by committees of Parliament, Hon. Mr. Campbell,

Hon. Mr. ARMAND said the bill was not printed, certainly not in French. He therefore asked the postponement of this order till the bill was before the House in both language.

Hon. Mr. CAMPBELL said he hoped the hon. chairman of the Printing Committee would look after this matter. The bill was upon the orders for yesterday, and was not yet printed in either languages.

The SPEAKER said he had enquired in obedience to the wish of the House, who

was at fault as to the numerous corrections recently complained of, and found the translator was not to blame.

Hon. Mr. SIMPSON said he had not seen the printer, but only his foreman to-day, who assured him they were making all the speed possible with all the hands they could find. He said they were not very far behind with the general work, still he (Mr. S.) did not like these daily delays. As to the translator, he thought, there was some fault with him. By some blundering the bill did not reach the printer in the right time. Mr. Taylor blamed the translator to some extent. The committee were doing their best to get the work pushed forward, but Mr. Taylor had not strength enough to make all the haste desired. He was willing to pay extra or any wages for skilled labour. He had written to Mr. Taylor, who promised this bill should be here to-day. He could do no more.

Hon. Mr. WILMOT said—I see by the proceedings in another place that this bill was read a second time, sent to a Committee of the Whole, amended, read a third time and passed forthwith. It authorises a special committee of the other House to consider one of the gravest charges that could possibly have been brought before Parliament. Now, I think some steps should be taken here to expedite the passage of this bill into law as quickly as possible.

Hon. Mr. CAMPBELL—So we will. (Hear, hear.)

Hon. Mr. WILMOT—I think there has been ample time since the 21st inst. to have had it before us now. I speak totally regardless of party feeling in the matter. Every man in this country who has any desire to maintain its integrity and honesty should say that so grave a charge as has been made in the other House should be wiped out as speedily as possible.

Hon. Mr. CAMPBELL—Hear, hear.

Hon. Mr. WILMOT—I cannot imagine such a charge should be sustained, but I must say if I was a member of the Government I would court enquiry immediately.

Hon. Mr. CAMPBELL—So we have.

Hon. Mr. WILMOT—I should at once remove such a charge against any Government that exists, for the fair fame of the country is dependent upon it. I hope no such charge as the acceptance of money to corrupt the constituencies of the country can be established, for the wellbeing and future prosperity of the Dominion. But everything possible should be done to have this bill for an enquiry passed into law forthwith.

Hon. Mr. ARMAND said he desired all possible expedition, too, but it was not desirable to proceed without a copy of it. The printer was again behind, and though he had received much indulgence, including better conditions than his predecessors. If he could not give us those measures in time, other printers should be entrusted with the work. He objected to proceed without knowing the provisions of the Bill.

Hon. Mr. CHRISTIE said—I hope the honorable gentleman will not press his objection. Though the Bill was not printed at the time, the House of Commons passed it through all its stages, because it was felt, as my honorable friend from New Brunswick (Senator Wilmot) has so ably expressed it, that the gravest possible charge had been brought against the Government of this country, and that it was necessary for the fair fame of this country that this charge should be disposed of as soon as possible—that every possible facility should be afforded for the passage of this measure into law. I really hope this opposition to immediate action will not prevail. I am quite sure the Government themselves must feel the absolute necessity, at the very earliest day possible, of absolving themselves from the accusation brought against them, and of which it is to be hoped they are innocent. It would be a calamity of the greatest kind that any Government of this country should be convicted of the offence—the very grave crime charged against them in another place. I hope the opposition will be withdrawn, and the example of the House of Commons followed here. (Hear, hear.)

Hon. Mr. DICKEY—I am rather surprised at the manner or tone in which this matter is pitched, by the hon. gentleman who spoke last, for what object I know not. Why is it we are asked to consider a bill we have never seen? I do not know whether the charges be true, says my hon. friend, but they are very important. The more necessary, then, the bill should be in the hands of all hon. members. Therefore, I was not surprised at the opposition of my hon. friend when the bill was printed neither in English nor French. The Hon. Senator who had spoken in his indignation seemed to have forgotten to state what was only fair, that the Committee on this subject was sought for and obtained on the motion of the hon. leader of the Government. (Hear, hear.) The hon. gentleman (Senator Christie) himself had admitted that, so anxious was the Premier for an investigation, that the bill was put through all its

stages in one day, with the consent of the Government. Is there any desire on the part of the Hon. Postmaster General or any of us to delay this bill? Is it our fault that it has not yet been printed? I, for one, take the responsibility of objecting to the consideration of an important bill like this before seeing it at all. Therefore I hope the Hon. Postmaster General will name as early a day as he can for its consideration after it has been printed. (Hear, hear.)

Hon. Mr. CHRISTIE—There can be no misunderstanding about the bill. It is very short—a bill of four clauses. Its importance is very great. My hon. friend opposite says we are in a great hurry about it. Every Senator ought to be in a hurry about this bill; he ought to feel that the charges are of the gravest possible character. The fair fame of the country is aspersed by these charges, and the sooner they are disposed of, the better. All that is asked here is that the members of the Senate shall feel as the members of the Commons on this question. With due consideration of the fair fame of this country, this bill should become law as soon as possible.

Hon. Mr. CAMPBELL said—My hon. friend just sat down grows unnecessarily excited. The other branch of the Legislature was seized with the facts, or matters mentioned in the bill, for days or weeks before it acted. We know nothing about the measure. We are entitled to know its provisions and all about it. There is no disposition on the part of the Government to do other than advance this bill. The motion for an enquiry came from the leader of the Government, as has been said already. Nobody can say any other disposition has been shown by my hon. colleague or myself in this House. The matter is not so urgent that members should take a leap in the dark. The Government are prepared and anxious for an enquiry, and all the anxiety which the hon. gentleman (Mr. Christie) professes to feel on behalf of the Government will be relieved when he ascertains the result of the investigation. (Hear, and a laugh.) Meantime it is quite desirable and proper the House should see the bill printed. I understand some hon. members, particularly some of the legal profession, greatly desire to see the bill, with respect to legal points of interest that have arisen or may come up. I have no doubt when it is printed, we shall be able to discuss it properly and arrive at some conclusion.

Hon. Mr. DICKSON was understood to speak for delay till the bill was printed.

Hon. Mr. CHRISTIE again urged that the second reading be not postponed. We had assurances the bill would be distributed to-day. Why put it off till Monday? Why not say to-morrow? If not then printed another postponement may take place.

Hon. Mr. CAMPBELL did not see why the hon. gentleman should dictate to the whole of the House. If so desirous of forcing this bill, why not take charge of it? He [Mr. C.] wished to look into the bill, and other hon. gentlemen wished to consider its legal points. There was no reason for the extraordinary zeal shown by the hon. gentleman. He quite desired it should pass as soon as members knew its clauses and all matters relating thereto.

Hon. Mr. CHRISTIE said he had not attempted to dictate to the House, but merely stated his own view. He would not allow the leader of the Government to say he had attempted to dictate to the House.

Hon. Mr. MACDONALD, [Victoria] thought that the pressing of this bill was most unbecoming, and that the majority of the House did not believe any of the charges brought forward. It was not unlikely the bill might be thrown out altogether. The more hon. gentlemen sought to press it the more it would be delayed. That was not the way to advance it. The zeal in its behalf was not exhibited with a view to relieve the country from a slander, but with different motives entirely. He objected to the bill proceeding a step further till printed. There were others more important to take up. This bill could wait its turn like the rest.

After some further remarks, the motion to discharge the order, and fix it for Monday, was put and carried.

Hon. Mr. DICKEY moved consideration of the amendment of the select committee, to the Maritime Improvement Company incorporation bill. He explained the amendment was to prevent the circulation, as money, of negotiable notes payable to the bearer, in other words to prevent the company making bank notes. Amendment adopted and bill read a third time.

#### GRAND TRUNK BILL.

The Grand Trunk bill, for power to issue new stock etc., received from the Commons, was read a first time.

The House then adjourned.

FRIDAY, April 25.

The SPEAKER took the Chair at three o'clock.

After routine.

THE ISOLATED RISK COMPANY.

Hon. Mr. DICKEY, from the Committee on Standing Orders and Private Bills, reported the bill entitled "An Act to amend the Act incorporating the Isolated Fire Insurance Company of Canada," and change the name to the Isolated Risk and Farmers' Fire Insurance Company of Canada, with amendments.

Hon. Mr. McMASTER moved that the amendments be concurred in.

Hon. Mr. CARRALL asked for explanations. He was not sure about this Company or its capabilities. (Laughter.) Formerly only the shareholders could declare dividends, but now the directors were to have this power. In fact so prosperous had the Company become that its chief anxiety seemed to be the acquiring of facilities for the distribution of profits. By and bye it would not have time to divide all its earnings. (Renewed laughter.) He was a little interested in this Company, since he understood some of the Government buildings were insured in it, and he would be certain the country was safe. (Merriment.) He did not believe in isolated risks, which might suit some people; he preferred mutual association, particularly as far as young people were concerned, since union was strength, and there was nothing like sharing risks as well as pleasures. This bill might go on, (Laughter.)

Hon. Mr. McMASTER said the bill empowered the directors to declare dividends instead of the shareholders. There was, moreover, an amalgamation of the Isolated Risk Company with the Cultivators Company of Lower Canada, provided for. The Company had already deposited a considerable sum in the hands of the Government, as security, and expected shortly to raise it to \$100,000. This information might relieve the hon. gentleman's anxieties. (Laughter.)

Amendments concurred in.

Hon. Mr. CAMPBELL moved that when the House adjourns this day, it stands adjourned till Monday, at half-past seven o'clock, p. m.

In reply to Hon. Mr. LETELLIER DE ST. JUST,

Hon. Mr. CAMPBELL repeated his explanation of the reason which was to meet the convenience of certain honorable gentlemen who were going home, and desired to be back in time for business.

Hon. Mr. CARRALL was willing to assist the Government on all occasions, but it seemed extraordinary that some gentlemen should be always anxious to go home—they seemed afflicted with nostalgia. (Laughter.)

Hon. Mr. WILMOT again called attention to the importance of the Bill empowering Parliament Committees to administer oaths to witnesses, and asked if the Government could not reconsider their determination, and proceed with it immediately. It was now printed in English and French. He was informed the committee was to meet on Wednesday next, and had issued subpoenas for the examination of witnesses. It was thought necessary in another branch to pass this Bill quickly suspending therefor all its rules, it surely was desirable this House should act expeditiously. The bill was very short, and he had no doubt his hon. friend from Cumberland would be able to understand it in a very short time. The House having decided to adjourn till Monday evening, the probability was they would be detained till Tuesday. He had no other interest than the public in view, and felt no hostility to Sir Hugh Allan, whom he did not know even. When Justices of the Peace and Magistrates could examine witnesses under oath he thought the High Court of Parliament should possess equal power. When the Commons, the representatives of the people, had moved so promptly in this matter, he believed it would be unbecoming in a body appointed by the Crown to throw any obstacles in the way of the passage of such an Act.

Hon. Mr. CAMPBELL said he did not see why the hon. gentleman should be in such an extreme hurry. The Orders of the House were still in force, the Bill standing for the second reading on Monday. There would be an abundance of time between half past seven o'clock and any hour they might choose to sit to for the consideration of this bill. Meantime they had it before them in both languages for proper study. He repeated he saw no reason for this extreme haste.

Hon. Mr. LETELLIER said—I feel the Government instead of this course, should take the contrary. The second and third readings of this important measure were passed in the same night.

Hon. Mr. CAMPBELL—that is no rule for us.

Hon. Mr. LETELLIER—No, but it indicates the feeling that produced this bill, and so quickly disposed of it. The Hon. Postmaster General, when saying there is no reason for promptitude, must have overlooked the action of the other House.



Here we have a document from that Chamber impeaching some members of Government, and this House, by delay, would be regarded as striving to shelter the accused from the investigation. I do not think it is to our interest to lie under such a suspicion. The object of the bill is very plain; it is to empower committees of both Houses to administer oaths to witnesses that may be brought before them. Witnesses have been summoned to appear on Wednesday, and the result of our delay will be to prevent their being sworn. Was this our object? In England the House of Commons and Lords have agreed that all committees before whom inquiries affecting the conduct of Ministers are to be made, shall have the power of administering oaths. Is it because this is the English practice, or to shelter anybody, that we should proceed differently? The advanced period of the session and the pressure of business, are further reasons against procrastination, and although we have our share and sphere in legislation, we must to a certain extent regard the wishes and temper of the other House. It would be a reflection on this House to delay action at present. I can show from authorities what took place in the House of Lords when a bill of the same kind was submitted there.

Hon. Mr. CAMPBELL—Let us see it on Monday.

Hon. Mr. LETELLIER DE ST. JUST—I can show it immediately if you desire to postpone the motion.

Hon. Mr. CAMPBELL—I have nothing to say to it. The order of the House is for Monday.

Hon. Mr. LETELLIER DE ST. JUST—We dispense, in one case, for a day, with the rules of the House, and should dispense with them in a case warranted by the feeling of the country. The present charge is a real impeachment of the members of the Government.

Hon. Mr. CAMPBELL—That is a reason why we should proceed cautiously.

Hon. Mr. LETELLIER DE ST. JUST—The only thing to be gained by this is delay. The Commons Committee will meet and have no power to administer oaths to witnesses. By delay we shall go contrary to the unanimous vote of the House of Commons, representing the people. We have precedents to cite. In 1867 we passed a law empowering certain committees of both Houses to administer oaths.

Hon. Mr. CARRALL said the arguments in favor of indecent haste were not sufficiently potent to compel him to vote to set aside the orders of the day. This body

was supposed to be calm, dignified, and eminently respectable, and for aught he knew it was. (Laughter.) It was on no occasion required to be impetuous, or to exercise unbecoming haste, but to act with due deliberation. If the fate of the Government hung in the balance, on this question, let it hang a few hours longer. (Laughter.) Although he always paid great attention to the arguments of his hon. friend from Grandville, (Mr. Letellier), yet he could not perceive in his remarks anything but vague mutterings of distant thunder—threats of something dreadful to come—he saw no reason for anything but the ordinary course in reference to this bill.

Hon. Mr. SMITH—Is it intended to pay these witnesses?

Hon. Mr. CAMPBELL—I really do not know. I did not see the bill till I came to the table this moment. The House of Commons doubtless will pay them, as they always do. They will not be paid by the Government.

Hon. Mr. LETELLIER DE ST. JUST—So we are to understand that the Government now oppose taking this bill into consideration?

Hon. Mr. CAMPBELL—I do not propose to interfere with the present order of the House.

Hon. Mr. LETELLIER DE ST. JUST—That is a little more delay. Let the people take it for what it is worth.

The motion as to the adjournment was carried.

#### EXTRADITION, &c.

Hon. Mr. CAMPBELL introduced a Bill respecting extradition. The present law provides for the extradition of criminals asked for by the United States. This new measure is to deal similarly with other countries. First reading carried.

#### THIRD READING.

The Central Prison Ontario Bill.—Hon. Mr. CAMPBELL.

#### GRAND TRUNK BILL.

Hon. Mr. MACPHERSON said the Hon. Mr. Ferrier, now absent, requested him to move the second reading of the Grand Trunk Arrangements Bill, 1873. He explained its substance—to authorise the company to expend two millions sterling in improving the road—that money to be raised in form of stock.—Carried. Bill referred to Committee on Banking, Commerce and Railways.

On motion of Hon. Mr. CAMPBELL the House then adjourned.

MONDAY, April 28.

The SPEAKER took the Chair at half-past seven.

After routine.

Hon. Mr. McMASTER moved the third reading of the Isolated Risk Insurance Company's amendment bill (as amended.) Carried.

Hon. Mr. CAMPBELL moved the second reading of the Quebec Trinity House powers increase bill. Carried.

The bill also passed through Committee of the Whole.

Hon. Mr. CAMPBELL moved the second reading of the bill respecting Harbour Masters for Nova Scotia and New Brunswick. Carried.

Bill referred to Committee.

Hon. Mr. CAMPBELL moved the second reading of the bill regulating carriage of dangerous goods in ships. He said it was suggested by similar legislation in Britain. He had no doubt hon. gentlemen would be glad to assist in any legislation tending to diminish the dangers of sea-going vessels. Carried.

Hon. Mr. LETELLIER DE ST. JUST moved the second reading of the bill disqualifying Provincial legislators for the House of Commons. Carried.

On motion of Hon. Mr. Aikins, the House went into Committee of the Whole on the bill respecting the Port Wardens of Montreal and Quebec.

The bill was reported without amendment.

#### ADMINISTRATION OF OATHS BILL.

Hon. Mr. CAMPBELL moved the second reading of the Bill to empower Committees of Parliament to examine witnesses under oath. He said the Bill proposed giving this power to any committee of either House, as well as to the Committee on Private Bills.

Hon. Mr. CARRALL.—Can you not amend the title of the Bill?

Hon. Mr. CAMPBELL.—We may consider any amendment in committee.

Hon. Mr. DICKEY said: Before the motion is carried I wish to invite the serious attention of the Postmaster General and the hon. member for Grandville (Hon. Mr. Letellier de St. Just) to the very grave doubts existing as to the powers of the House to legislate on the subject. What I am about to say is from no desire to interfere between justice and anybody on the one hand, and on the other from no opposition to the principle of the Bill. It is not a question of the merits of the Bill, but entirely a question of our power to deal with it.

By the 91st section of the Brit. North America Act of 1867, a general power is given to make laws for the peace, order and good government of Canada, in relation to all matters not coming within the classes of subjects, by this act exclusively assigned to the Legislatures of the Provinces," but this is not applicable to the question under consideration for two reasons: In the first place the administration of justice, to which this question would refer, is one of the subjects assigned exclusively to the Local Legislatures. In the next place, there is a section of the Act which applies expressly to this case, and my hon. friend (Hon. Mr. Letellier de St. Just), will recollect the maxim "*expressio facit cessare tacitum.*" The question is not left to inference. Section 18 of the Confederation Act refers exclusively to the legislative power, and its terms are as follows: "The privileges, immunities and powers to be held, enjoyed and exercised by the Senate and House of Commons, and by the members thereof respectively, shall be such as are from time to time defined by Act of the Parliament of Canada, but that the same shall never exceed those, at the passing of this Act, held, enjoyed and exercised by the Commons, House of Parliament of the United Kingdom.

The simple question, therefore, is what were the powers enjoyed by the British House of Commons at the time of the passing of the B. N. America Act? I have traced the Imperial Statutes down to this period and find that the only Act giving powers similar to those asked for in the present bill, is the Imperial Act 21 and 22 Victoria, 1859, c. 78. By Sect. 1. "Any Select Committee of the House of Commons, to which any private bill has been referred by the House, may examine witnesses upon oath upon matters relating to such bill, and for that purpose may administer an oath to any such witness." Our Act, giving power to examine witnesses upon oath before a committee on any private bill, passed in 1863, must have been taken from the Imperial Act, for it is almost a literal transcript of that Act. It was in 1871, or four years after Confederation, before an Imperial Act was passed giving the powers now asked for to the English House of Commons. Hence it is perfectly obvious that in 1867 the same House of Commons could not have enjoyed these powers, and the conclusion is inevitable that we have no power to pass an Act assuming powers exceeding those enjoyed by the English House of Commons in 1867, and which I have already shown did not include the

power of examining witnesses upon oath before committees, generally, but was confined to Committees on Private Bills. This legislation I therefore hold to be *ultra vires*, and beyond our powers as defined in the constitution and charter of our liberties. We have not the same original power as that claimed for the British Parliament. Our constitution, a written one like the American constitution, is limited by the British North America Act, and if we go beyond it to meet the exigencies of the hour we establish a precedent that may be invoked hereafter by a majority in cases where much greater injury would be involved. There is another difficulty in passing this Act without a suspending clause arising from the Royal Instructions, 8th paragraph, clause 7, requiring that "any Bill of an extraordinary nature and importance affecting the prerogative, &c., shall be reserved for Her Majesty's assent." I, however, merely refer to it, as that is a matter purely for the consideration of the representative of the Sovereign.

Hon. Mr. LEFELIER DES ST. JUST— I cannot agree with the hon. gentleman who spoke last. In the first place, I don't believe the hon. Postmaster General would have taken charge of this bill if he had not been convinced he was acting in accordance with the constitution, and the more so as it was passed in the other House without dissent. The remarks there made as to the unconstitutionality of this Act were set aside as worthless. There is a distinction to be drawn between the two clauses of the B. N. A. Act just cited. Clause 91 says the three branches, the Queen, Senate and Commons, may make laws for the good order and peace of the Dominion, in all cases not assigned the Local Legislatures; but clause 13 does not affect Parliament as a whole, but only the two chambers. It is provided here that the privileges, immunities and powers are to be held and exercised by the Senate and the House of Commons, not jointly with the Queen, but separately, which makes quite a different thing. The privileges and powers conferred and to be exercised in Canada, cannot exceed for any of the two Houses, those of the British House of Commons. We speak not of the whole Parliament, but only of the two branches, the Senate and Commons; whilst in the other case it is the powers of Parliament itself that are dealt with, the Queen, Senate and Commons. Under these circumstances, it is by the 91st clause that we are to be guided, and, inasmuch as by it power is given to make any laws not assigned specially to the Local Legislatures,

and this Bill touches a question of order and good government, it falls within the general category of those to be disposed of by the Parliament of Canada, the Queen, Senate and Commons. But leaving aside the question raised by the honorable gentleman opposite (Mr. Dickey) which I won't treat as a quibble, but certainly a nice fine point—perhaps rather fine when the Attorney General and all the Ministers and lawyers of the other House consented to the Bill being passed—when the Ministry, the guardians of the constitution, accept the responsibility for this Bill here, also, we are quite safe in saying it carries no danger to that instrument. Moreover what harm could result from passing this Bill? None whatever. When there is no danger evident, and no cause for hostility, why should we say we have no jurisdiction as to the Bill? Was there doubt on the point raised? Jurisdiction has been granted by the 91st clause of the Union Act. The precedent of the British Parliament is with us in this matter—the House of Commons having decided to exercise the power of swearing witnesses, and an Act having passed the Imperial Parliament to that effect. The Bill was brought into the Commons in 1871. It passed there without any discussion, and in the House of Lords without difficulty. It is because it was the will of the Parliament of Great Britain, more than a right inherent in one branch of the Legislature that this could be done. I do not say the Commons had no inherent right to swear witnesses, but they concluded they had a right to claim it, and passed an Act accordingly by which the power was granted or assumed, and now witnesses on certain occasions are sworn by Parliamentary Committees. As to the reasons for this Act, considering the report of a select committee of the Commons, we see very many. It was acknowledged by Sir Erskine May that it was a necessity to have such a right, but that it should be granted by a statute. With these considerations we may dispose of the present Bill, which will be of as much advantage to the country as that of 1868. Had we more power then? Our charter has not been enlarged or diminished. Then we passed an Act empowering certain committees to examine witnesses on oath. As to referring this proposed Act to the Queen for her assent, I think this advice rather premature, and that the Government will not see fit to take steps to delay its passage, but rather advise His Excellency's immediate assent. (Hear, hear.)

Hon. Mr. BUREAU said, section 18 of

the British North America Act, does not refer to powers granted by statute, but to inherent powers and privileges from parliamentary privilege and precedent. Such rights may be defined by statute, but whether so defined or not, cannot exceed those held, enjoyed and exercised by the House of Commons.

This clause applies only to inherent rights. This was never claimed as an inherent privilege by the House of Commons, and the fact that in 1871, the House passed an Act for the examination of witnesses on oath is proof that it was not claimed by them as an inherent privilege.

The 18th clause simply limits inherent privileges, but does not limit legislative powers.

The 91st section of the British North America Act defines our legislative powers clearly.

We have exercised those powers in 1868, by passing an Act for the examination of witnesses on oath by committees on private bills. That Act has not been disallowed, and all acts passed by Colonial Legislatures pass under review in England.

Before Confederation the Legislature of New Brunswick in 1860, passed an act for the same purpose and that act was not disallowed.

The opinion of A. Todd, Esq., is that this argument is clear and unanswerable. It gives the whole question in a small compass and could not be more clearly, concisely or tersely expressed.

(Signed.) A. Todd.

Hon. Mr. CARRALL said he could now quite understand from the special pleadings and elaborate renderings from authorities which the hon. gentleman from Grandville (Hon. Mr. Letellier de St. Just) had treated them, that he thought one of those Parliamentary crises was at hand, and that he might help to give the *coup de grace* to the Government. But with all his astute elaborate reasoning he was not prepared to support the bill. But after the speech of the Senator from Amherst (Mr. Dickey) a birth had taken place in his (Mr. Carrall's) mind, namely, a doubt as to the ability of the House to pass this bill. He shared with his hon. friend from Grandville the opinion that this bill ought not to have escaped the attention of the Minister of Justice, whose opinion they regarded as of more weight than that of any other man in the Dominion; and he hardly expected that one so cunning and astute as that gentleman should have stood godfather to the bill unless he thought

we had the right to pass it. We had a written constitution, and could not go beyond it. The English constitution was not so, but as elastic as India rubber. (A laugh.) Now as to whether this bill transcended our power or not, under the Union Act, he left it to those skilled in the laws to determine. He would be careful in voting for a second reading if he thought the bill violated the constitution. If it passed it might prove a two-edged sword, operating against hon. gentlemen opposite at some future time, when they might be in power. (Hear, hear.)

Hon. Mr. WILMOT said what is the meaning of responsible Government? We are here legislating for the people of the country. We have a Constitution similar to the British? Parliament has power to pass laws for the good government of the people and in furtherance of their interests. If the argument of my hon. friend (Hon. Mr. Dickey) is correct, I think he ought to have objected to the Bill passed a few sessions ago relative to Nova Scotia—its better terms. I do not remember his objecting to that measure on any mere verbal grounds. (Laughter.)

Hon. Mr. DICKEY—That was for the peace and good order of Nova Scotia. (A laugh.)

Hon. Mr. WILMOT—And this is for the peace and good order of the people of Canada—to secure evidence on oath as to certain grave charges before a Parliamentary investigation committee. While I would be the last to infringe upon the rights or privileges of this branch of Parliament, I should be the last to stand here as appointed by the crown, to vote against the voice of the people's representatives in a matter of this sort—a measure passed by them unanimously. For us to oppose them upon a mere literal or verbal rendering of the B. N. A. Act would be contrary to the spirit of representative Government. Why, our dealing with Nova Scotia was contrary to the reading of that Act. If we had gone by the strict letter of the law we should have asked the British Parliament to change that Act. If we determined to resist the action of the people's House, we should place ourselves in a most anomalous position. (Hear, hear.)

Hon. Mr. MACDONALD (Victoria) believed that not one of the hon. gentlemen had met the argument of Hon. Mr. Dickey. As to the Commons act, surely we were here as independent and free as that House. We were to reflect more calmly and proceed more deliberately. Nor was there the same feeling here which prevailed there when the bill was passed.

Hon. Mr. LETELLIER DE ST. JUST—There was no feeling.

Hon. Mr. MACDONALD—There was a great deal. The bill was not of any importance. If it was, hon. gentlemen opposite would not show half as much feeling in its behalf. He supposed the bill would pass, however. The Government was not afraid of it. Strong in their integrity and honour, they allowed it to pass in the other House. When it finally passed, some hon. gentlemen opposite might feel more sorrow than they had for some time (Hear, hear.)

Hon. Mr. LETELLIER DE ST. JUST and Hon. Mr. DICKEY replied to the arguments against their respective views. The latter pointed out the doubts of the former hon. gentlemen as to the competency of this Parliament to pass the bill. He had to go beyond the plain words of the Union Act. As to the legislation of the British House of Commons in 1871, was anything more wanted to show it did not possess that power in 1867? Our Act did not say we could take powers and privileges the British House of Commons now have; but it has defined ours should never exceed those enjoyed and exercised by the Commons at the passing of the Union Act. (See 18th clause.) There was an Act passed in 1859 giving the English Commons the power conferred by our Act of 1868 passed in Canada, to examine witnesses on oath before private bill committees. That was all possessed by the British Houses in 1867. The Senator from Grandville admitted frankly that this was not an inherent power in those bodies. It was taken by Act of Parliament, he adds. They asked and got it. Could anything be plainer? He did not expect to be twitted by the hon. member from Grandville for differing with the Government in this matter. (Applause) He could understand why the Premier, moreover, would not like to stand forward as opposing the wishes of the Lower House in a matter of this kind. This House, however, (the Senate) was pre-eminently a court of review, not supposed to be under any influence. That being the case it was our duty to look well to the bill to see whether we could pass it or not. We were bound to look to a constitutional point of this kind. He thought he had, in a manner not yet answered, put this question fully and fairly before the House. (Hear, hear.)

Hon. Mr. CAMPBELL said the hon. gentleman had stated the case fully and fairly. But if he (Mr. C.) had not been willing to assume the responsibility of asking the House to adopt the bill he

should not have moved the second reading. There were certainly grave doubts as to the legality of the step. The Premier felt grave doubts, but another high authority (Hon. J. H. Cameron), entertained a different opinion, which was entitled to great respect. The case stood very much as the hon. gentleman (Mr. Dickey), put it. The Commons originally had no power to examine witnesses on oath at all, but were in the habit of sending them to the Lords to be sworn. Then an Act enabling the Commons to swear witnesses before the Private Bills Committee was passed, and in this way the matter stood when our Union Act of 1867 passed. It was perfectly clear that the British House of Commons had not the power in 1867. This Canadian Act of ours proposes to give this power got in England by an Act of Parliament. While, therefore, there was a grave doubt in this matter, our bill was not a serious affair after all. The heavens will not fall if we are wrong, if we have stretched our authority somewhat. As an independent legislature if we err at all it should be in the direction of freedom. He would desire, speaking in a general way, where there was any doubt about our powers, not to circumscribe them. He would rather go for extending than diminishing our powers. (Hear, hear.) Then, we had given ourselves the benefit of the doubt in the Copyright Act, upon which the Queen had not yet pronounced. He did not fear any harm from examining witnesses on oath in private committees. If we were wrong in this Bill, it was at all events with the sanction of very high authority. He did not venture any opinion himself upon the legal point. What, as a colony, we had done in the past, we might, without very great danger, assume we had the power to do in the future. (Hear, hear.)

Hon. Mr. RYAN—Does the hon. gentleman assume that if this Bill passed the same course would be pursued as in the Copyright Bill—that it would be reserved. [Laughter.]

Hon. Mr. WARK said he liked the sentiments of the Hon. Postmaster General. Instead of constantly casting doubts upon our own powers, we ought rather venture to stretch them a little. [Hear, hear.] He held, not as a professional man, but on grounds of common sense, that the powers formerly possessed by the Colonial Legislatures before the Union Act are now distributed between the different Legislatures and this Parliament. It was not the intention of the B. N. A. Act to strip this Parliament of any powers except those conferred on the Local Legislatures.

Hon. Mr. WILMOT replied, after which the Bill was read a second time unanimously.

It was then referred to Committee of the Whole, and afterwards reported without amendment.

In reply to a message from the Commons,

Hon. Mr. CAMPBELL moved that a message be sent to acquaint that House that the Senate gives leave to Hon. Messrs. Macpherson, Cochrane, Chapais, Foster and Campbell, to attend and give evidence before the committee of that House to which has been referred the enquiry as to the statement of Hon. Mr. Huntington relating to the Canadian Pacific Railway, if they see fit. Carried.

Hon. Mr. CAMPBELL moved second reading of the offences against the person amendment bill. He explained it was to substitute for the sentence of death against persons convicted of rape, a term of imprisonment in the penitentiary. The death penalty was not carried out, but its existence deterred juries sometimes from finding offenders guilty. Carried.

On motion of Hon. Mr. CAMPBELL, the House went into Committee of the Whole on the bill respecting aliens in Manitoba and British Columbia. He explained he had received information from Senator Carrall, as to the courts in British Columbia; and he (Mr. C.) therefore proposed to introduce the words County Courts, as well as Supreme Court, for action in the matter of naturalization.

Hon. Mr. MACDONALD—What time must a person reside there to become a British subject?

Hon. Mr. CAMPBELL—Those there now must live one year, but incomers hereafter three years.

Hon. Mr. MACDONALD suggested an alteration. Three years was a long period.

Hon. Mr. CAMPBELL admitted it was, though Parliament might amend the term. The intention was to prevent foreigners exercising important rights in the country before they had become British subjects. It was thought the experience of Texas might be ours. If Parliament at any time thought it right, it could diminish the term of residence.

Hon. Mr. CARRALL advocated the change to one year, which he deemed quite sufficient. With all our resources, immigration agents included, we were not likely to witness such a rush of foreigners as might sway the elections and do much damage, should we change this Act, or bring in a fresh bill?

Hon. Mr. CAMPBELL said it would be better to introduce a new bill hereafter. He proposed introducing the words "county courts," to suit Manitoba also.

Hon. Mr. GIRARD proposed a clause to secure the publication of the Dominion laws in Manitoba. The statutes had not been distributed there, and nobody knew what the laws under which they lived were.

Hon. Mr. CAMPBELL recommended the withdrawal of the amendment, which was unusual. He promised in return to draw the attention of the Government to the non-distribution of the laws in Manitoba with the view to the publication of a small volume containing all the Acts since the Union, for circulation in that Province and British Columbia, to put them on even terms with the other Provinces.

Hon. Mr. GIRARD said he was satisfied if his object was attained without his motion.

The Committee rose and reported the bill as amended. The House concurred in the amendments.

Hon. Mr. BUREAU said we have not yet received an answer to the address for copies of all powers of attorney used in the subscription of all articles of agreement, in reference to the Canadian Pacific Railway, and to the subscription of stock for the formation of such Company, dated 31st January last.

Hon. Mr. CAMPBELL said the usual steps had been taken to this end. The moment the information was obtained it would be brought down.

Hon. Mr. DICKEY asked if a copy of the agreement with Sir Hugh Allan was on the table yet. It was promised last Friday.

Hon. Mr. CAMPBELL said the Hon. Commissioner of Public Works had promised it, but it was not here yet. He would remind him of his promise to-morrow.

On motion of Hon. Mr. CAMPBELL the House then adjourned.

TUESDAY, April 29, 1873.

The SPEAKER took the chair at three o'clock.

After routine business,

Hon. Mr. CAMPBELL called attention to the delay in making the motion for an enquiry touching the Pacific Railway Contract. When did the hon. gentleman propose to go on with it?

Hon. M. CHRISTIE—To-morrow.

Hon. Mr. CAMPBELL—It means action of a want of confidence character, and I should like to see it disposed of. (Laughter.)

Hon. Mr. CHRISTIE—Oh, there is no particular hurry. (Laughter.)

Hon. Mr. CARRALL—He is going to trust the Government a little longer. (Renewed merriment.)

THIRD READINGS.

The following Bills were read a third time and passed.

Bill from Commons, Montreal and Quebec Port Wardens' Laws Amendment Bill.—Hon. Mr. Aikins.

Bill from Commons, Witnesses Examination on Oath by Committees of Parliament Bill.—Hon. Mr. Campbell.

Bill from Commons, Three Rivers Bank Incorporation Bill, as amended.—Hon. Mr. Hamilton, Kingston.

Bill 1, Aliens in British Columbia and Manitoba Bill.—Hon. Mr. Campbell.

PENITENTIARY LAW BILL.

Hon. Mr. CAMPBELL moved the second reading of the bill to amend the law relating to Penitentiaries in New Brunswick and Nova Scotia. He explained that in those provinces criminals were confined in the Penitentiary under shorter sentences than in Quebec and Ontario, and it was found convenient that the briefer periods should be spent in those prisons. In those Lower Provinces they had been as yet unable to make arrangements to comply with the law affecting Quebec and Ontario, and consequently it was proposed to extend the period for compliance, till 1st May 1875 and 1876.

In reply to Senators WILMOT and WARK,

Hon. Mr. CAMPBELL said, no doubt the Ministers from New Brunswick would see to the interests of St. John in the matter of its rights in the Penitentiary, and Judges would be able to send criminals to those prisons for shorter terms than one year.—Motion carried.

HOUSE IN COMMITTEE.

On motion of Hon. Mr. CAMPBELL the bill for the increase of the powers of the Quebec Trinity house was considered in Committee.—Reported without amendment.

HARBOUR MASTERS, NOVA SCOTIA AND NEW BRUNSWICK.

Hon. Mr. CAMPBELL moved the House into Committee on the bill for appointment of harbour masters in certain ports of New Brunswick and Nova Scotia.

Hon. Mr. LOCKE asked if the wishes of the people of the ports interested would be consulted in these appointments.

Hon. Mr. MACFARLANE called atten-

tion to the importance of defining what constituted a harbour for the purposes of the act, and the proper supervision of the smaller harbours. If the Dominion Government appointed masters for all of them, it would prove very expensive, while, if they neglected them, the Local Government not interfering, these harbours might become filled up with rubbish, or injured in various ways.

Hon. Mr. WARK said this bill appeared part of a policy of centralization, of bringing everything under Ottawa. It was a most objectionable measure. He believed the old N. B. system of leaving these appointments to the Quarter Sessions, the best. The Judges knew the applicants and felt interest in the locality. The Government appointments would be political—a most objectionable system.

Hon. Mr. DICKEY said, he did not see the danger perceived by the last hon. gentleman. The subject of trade and navigation belonged to the Dominion. How could its Government logically or consistently leave these matters in the hands of the local authorities? Navigation interested the whole world. He could not understand how we could go back to sessions appointments. For New Brunswick and Nova Scotia they had no law authorising the appointment of harbour masters. There was a necessity for such an officer in certain ports. The Minister of Marine doubtless felt the same difficulties as to all other appointments as those anticipated in this case. He would act to the best of his lights, while all these nominations would come under the scrutiny of Parliament. The provision as to the collection of fees only applied to foreign, not our own vessels. He gave reasons for treating Sydney the same as Pictou, as to the remuneration of the officer to be appointed.

Hon. Mr. BOURINOT corroborated the statements of the last hon. gentleman (Mr. Dickey.) The bill as it stood was satisfactory, and he trusted the suggestion made would be accepted by the House.

In reply to Hon. Mr. LOCKE,

Hon. Mr. CAMPBELL said the Government would make the appointments of course, subject to the judgment of Parliament. He could not conceive the Minister of Marine or the Government making appointments where they were unnecessary—where there was no, or an insufficient business. As to the merits of the quarter sessions system of appointments, he understood there was very considerable pressure put upon the Government by New Brunswick and Nova Scotia members to submit this measure. They thought the

harbor and shipping facilities and interests would be promoted by the Government's assumption of this duty. It was very likely that, more or less, persons would be recommended from political considerations. We all knew how far that practice went. It was an evil and not an evil. He did not think there was a danger of persons being recommended who had not some sort of fitness. If they had none, with an active press and other means of information, the matter would soon be brought before Parliament and remedied. We must have faith in responsible Government and the controlling power of Parliament. He believed the proposed system worked well in Ontario and Quebec.

Hon. Mr. MACFARLANE believed the appointment of harbor masters by the Government would be an improvement, but as the larger and not the smaller vessels paid the fees, and the latter mainly frequented the minor harbors, they might be neglected. He hoped the Minister of Marine would see they did not thereby suffer.

Hon. Mr. CAMPBELL believed the smaller ports would receive attention. We must proceed by degrees. Taking charge of the larger was a step in the right direction. He would consult the Minister of Marine to see if the case of the smaller harbors could be met, and with a view of considering the classing of Sydney with Halifax, Pictou and St. John, he would ask the committee to leave the clause affecting it over.

Hon. Mr. ARCHIBALD—The two Sydneys should be added.

Hon. Mr. CAMPBELL assented.

Hon. Mr. LOCKE—If you ask exemptions of that kind others will be asked for.

With regard to the matter of the immediate appointments, some remarks were made.

Hon. Mr. ARCHIBALD said he had been told by Hon. Mr. Mitchell all the present harbor masters would be appointed.

On motion of Hon. Mr. CAMPBELL, and with a view to amending clause 14 in the above sense, the committee rose and asked leave to sit again.

#### THIRD READINGS.

On motion of Hon. Mr. CAMPBELL the House went into committee on the Bill respecting the carriage of dangerous goods in ships, which was reported without amendment and read a third time.

#### DUAL REPRESENTATION.

On motion of Hon. Mr. LETELLIER the bill to prevent Provincial Legislators from sitting in the Commons, was read a second time.—Reported from Committee without amendment and passed.

#### SECOND READINGS.

The following bills were read a second time and referred to appropriate committees.

Bill L, Offences against the Person Amendment Bill—Hon. Mr. Campbell.

Bill J, Landed Credit Company of Canada Incorporation Bill—Hon. Mr. Bureau.

Bill from Commons, Banque de St. Jean Incorporation Bill—Hon. Mr. Bureau.

Bill from Commons, Stadacona Bank Incorporation Bill—Hon. Mr. Panet.

Bill from Commons, Banque d'Hochelaga Incorporation Bill—Hon. Mr. A. M. D.

Bill from Commons, Western Bank of Canada Incorporation Bill—Hon. Mr. Simpson.

Bill from Commons, La Banque de St. Hyacinthe Incorporation Bill—Hon. Mr. Oliver.

Bill from Commons, Victoria Bank of Canada Incorporation Bill—Hon. Mr. Ryan.

Bill from Commons, McNabb's Car Coupler Patent extension Bill—Hon. Mr. Vidal.

Bill from Commons North Star Silver Mining Company Bill—Hon. Mr. Vidal.

Bill from Commons, Dolphin Manufacturing Company's Charter Bill—Hon. Mr. Benson.

Bill from Commons, Union forwarding and Railway Company Bill—Hon. Mr. Skead.

Bill from Commons, Montreal and Champlain Railroad Bill—Hon. Mr. Ferrier.

Bill from Commons, Huron and Ontario Transportation Company Bill—Hon. Mr. Seymour.

Hon. Mr. CAMPBELL moved a second reading of the bill respecting steamboat inspection in British Columbia. He explained it had been considered advisable to suspend for a time, the extension of the steamboat inspection law, passed last Parliament, to British Columbia. He trusted no inconvenience would arise from this exception, and that the British Columbia steamboats, next year, would be able to stand the inspection required in the rest of the Dominion. As the Act came upon that Province without much warning, it was deemed advisable to give it some time to make preparation.

Hon. Mr. CARRALL, in support of the measure, described the rivers on the Pacific slope, the Fraser included, as of the cataract kind between May and July, ne-



cessitating, on the part of steamers, 110 lbs. of steam, to enable them to navigate those violent waters. Buoys, lines, and so forth had to be used, moreover, to protect them from damage. The machinery of these boats could be altered in a little time to enable them to comply with the Dominion law; as at present it would have prevented their running all season.

Bill read second time.

Hon. Mr. McMASTER moved the second reading of the Empire Fire and Marine Insurance Co. Bill from the Commons. He said the Company wished incorporation. They had a capital of a million—half of which was subscribed. Carried.

The Bill was reported from Committee without amendment.

Hon. Mr. SIMPSON submitted the fifth report of the Printing Committee, setting forth that, after a full and careful examination into all the facts connected with Mr. Taylor's contract, and considering the actual necessity, in the public interest, of having the printing executed with as much promptitude as possible, the committee recommended an advance in the price of certain portions of his work, and that the increased prices should apply to the years 1871, 1872, 1873 and 1874; also that as the contract expires next year, tenders be advertised for during the recess, to be sent in before the opening of next session.

The hon gentleman stated the report of the sub-committee was not adopted by the general committee; but it contained recommendations considered valuable and worthy to go before the House. He did not recommend the adoption of the report, which involved the payment of money. The House of Commons would deal with that question, and would have the report up first. He would move therefore, the consideration of the report, on Monday next. Carried.

Hon. Mr. DICKEY said, in justification of his course, last night, in expressing doubts as to the power of the House to deal with the oaths bill, he might cite the exactly similar course of a high legal authority in the other House (Mr. Blake.) When the Government registration of births, marriages and deaths' bill was up for second reading, that gentleman urged doubts as to whether Parliament could deal with the subject, which might properly belong to the local legislatures. The Minister of the Crown said he would not press the second reading, at that time, to allow of the matter being better considered, and the bill was postponed.

Hon. Mr. Bureau—We did so here concerning the Manitoba bill.

On motion of Hon. Mr. CAMPBELL, the House then adjourned.

APRIL 30, 1873.

The SPEAKER took the Chair at three o'clock.

After routine.

Hon. Mr. AIKINS submitted a return to an address for copies of powers of attorney used by J. A. Macdonald, H. N. Nathan, jr., J. J. C. Abbott, and others, on behalf of F. Cumberland, D. McInnis, and others, in their subscription of articles of agreement in reference to the Canada Pacific Railway, and in the subscription of stock.

Hon. Mr. CAMPBELL introduced an Act to amend the Act for more effectually preventing the desertion of seamen, and for other purposes—mainly intended for Quebec.

#### THE OATHS BILL.

Hon. Mr. BUREAU asked if it was the intention of the Government to recommend the sanction of the oaths' bill already passed, as soon as possible.

Hon. Mr. CAMPBELL said the honorable gentlemen surely could not mean that he (Mr. C.) should reveal the advice given to His Excellency on the subject. The bill had been submitted to His Excellency this morning, with the advice of the Government, but what course would be pursued he was not at this moment able to inform the House.

#### THE NORTH WEST.

Hon. Mr. IETELLIER DE ST. JUST enquired as to the truth of the reports of Indian troubles in the North West.

Hon. Mr. CAMPBELL said the Government had nothing very definite on the subject. No precise information seemed to have reached Fort Garry. The acting Lieutenant Governor telegraphed that tidings had reached them, that Indians from the United States, and from Yellowstone River, were coming into the Dominion territory. There was nothing beyond that. By way of precaution, certain steps had been taken which, should anything occur, he thought would prove sufficient for the protection of our people and the country.

#### THE CANADIAN PACIFIC RAILWAY.

Hon. Mr. CHRISTIE said he felt disposed to relieve the Government of its anxiety in regard to his motion for a committee of enquiry into all matters connected with the Pacific Railway contract, Re

had been induced to give notice of this motion because the papers on this subject brought down had not been of a very complete and satisfactory character. Proceeding by address was not so convenient, or effective as by committee. He found to day in reply to the address already moved for that it was impossible to get information as to the powers of attorney for signing the agreement in behalf of certain parties to the agreement, and signatures of the stockholders. He found by this return brought down by the Secretary of State that the *pro tem.* Secretary of the company, replied he would place the resolution of the Senate before the directors of the company at their next meeting, and ask them for the papers demanded. This certainly was a very extraordinary way of replying to a demand of the Canadian Parliament. He fancied that if a committee were appointed on the terms he proposed, with power to bring that officer before them, they would soon obtain the information desired. But the Government themselves ought to Act. The matter was most important, as the signatures related to an agreement for the construction of the Pacific Railway involving an outlay on behalf of the people of this country, of thirty millions of dollars and a grant of fifty million acres of the best land in our North West, that the Government ought to have seen to it that those subscriptions were not of the character which might be denominated sham subscriptions; but of a *bona fide* nature. What did we find in connection with this agreement? The admission of the Postmaster General himself, that the Minister of Justice had no written authority to subscribe this document on behalf of the parties for whom he signed it.

Hon. Mr. CAMPBELL.—I did not say that; but that he had no power of attorney. He had authority of another kind.

Hon. Mr. CHRISTIE said he stood corrected. But the Premier had no power of attorney, so that his statement was substantially correct. He (Mr. Christie), fancied a subscription of that kind could scarcely be a valid one. It did strike one as somewhat surprising, that the Minister of Justice specially designated as he was by the Committee of the Privy Council of the Dominion, to conduct the negotiations in this matter, to draw up the agreement and who afterwards made his report to the Privy Council, that that agreement, had been duly executed, that he should have acted in the capacity of a Minister of the Crown, specially delegated

to draw up and sign these documents, and that he should at the same time have subscribed them as one of the parties of the second part. That might be a position legally correct but it did seem *unique* in its singularity, that the Minister of Justice should have acted in this double capacity. To say the least it was not in good taste. This was a proper subject of enquiry as it was all important to all the Provinces as well as Ontario and Quebec. Committees had been granted for matters of less moment, and with results of very great importance. The Committee on the Intercolonial Railway had elicited a mass of valuable information not attainable by the ordinary mode of an address. There was a great deal of valuable information which could not ever be reached by an address, but which may be got by a Committee. Some objected that as one had been appointed by the Commons to investigate this whole matter, a Senate Committee was unnecessary. He differed from that view, because in first place the Senate was an independent branch having its own rights and privileges to guard, and the object of this Committee was not to investigate distinct specific charges against Government, but enquire generally into what was really on the face of it, a very extraordinary course of conduct on the part of the Government involving matters which he would show called for a committee of investigation. With regard to the remarks affecting the motives and course of Senator Macpherson, it was admitted that he was offered a share in the contract for the construction of the Pacific Railway, and which it was to be presumed, would, as respects personal interests, have been quite satisfactory to him. He did not desire to control the whole undertaking, but he objected to amalgamating with what was called the Allan Company, because he honestly believed it would be under the control and auspices of American proprietors. Thus, as he was offered a share; and was backed up by the executive committee and whole board of directors of the Inter-oceanic Company, (Hon. Mr. Macpherson—Hear, hear.) he was not fairly open to the charge of selfishness or personal motives in his present course. But whether or not, that was totally irrelevant and immaterial to the issue then before the Senate. A Government strong in the consciousness of right on their side would not have disposed of the question in the summary manner adopted by the Postmaster General the other night. In the plenitude of his power, in a fashion wholly arbitrary, he came down on that occasion, saying in effect, *sic*

*volo, sic jubeo, stat pro ratione voluntas.* He should have said—we court the fullest inquiry, but instead of that he said—no, we will pass to the orders of the day. He (Mr. Christie) thought then, and he still was of the same opinion, that he was not respectful to the hon. gentleman (Macpherson) whose position in the country merited something better, nor was he respectful to the House or the country. The Government ought to have met every position in his resolutions in a frank and open spirit. That would have been right. They would have inspired confidence. What was the natural feeling at present? The country was suspicious—very suspicious as to the integrity of their conduct. The fullest discussion of the resolutions should not have been denied. He would just take up the articles of agreement. The Government stated in the 2nd paragraph they deemed it better a Company should be incorporated by charter. Now, we have heard no reason why it was not thought advisable to agree with either of the companies chartered. They were considered last session sufficiently important to justify their incorporation by Act of Parliament, and the Government in asking for the extraordinary powers, which on the part of Parliament was tantamount to an abdication of function, solicited these powers to charter an independent Company for the purpose of preventing monopoly. Although its intent might be gathered from the Act itself, statements in House, when the bill was under discussion, furnished a commentary on ministerial intentions in asking these extraordinary powers. The Minister of Justice declared that the object in inserting this clause was to prevent such a combination of companies as might create a monopoly. It was to keep these companies in order. The Government, it was said, did not ask for discretionary powers in regard to the money or land—although they had certainly taken them, but only powers requisite to decide what was the best line for the country, and who were the best capitalists. Yet the Government did not take tenders from either company, acting as if neither was to be trusted. The Government addressed communications exclusively to those two chartered companies, but why did it deem neither proper to be trusted? Their very first act was to bring about a combination—to induce a monopoly—the very condition of things to guard against which they asked extensive powers. That certainly was not in accordance with the declaration of the Minister of Justice and Sir Geo. Cartier, as quoted by Senator Macpherson. He (Mr. Christie) came now to

the manner of payments as security to the Government. He maintained it was stated by the Finance Minister last session that payments should be made to the Receiver General. These were the words of the statute and the charter. Sir George Cartier stated that the Government would take care no arrangement was made but with a *bona fide* Company, composed of shareholders, etc., and would insist on payment of one million into the hands of the Receiver General; and as to expenditure or employment of the nine millions, that would be matter for arrangement between the Government and the Company. A deposit in one of the banks to the Receiver General's credit was not a payment according to the terms of the Statute. An election committee did not recognize even the payment of bank notes as a security, requiring either gold or Dominion notes. What did we find after all? A most remarkable statement in the receipt given by the Receiver General for the deposit to the credit of the Receiver General of Canada, under certain conditions. Now, what were those conditions? We had not reached them. He had asked for the documents, and this point had not been answered. He understood the payment was to be in the words of the Statute, an unconditional payment, a *bona fide* real payment into the hands of the Receiver General. We were not told what those conditions were. He attached a condition which he (Mr. Christie) believed was not contemplated by the Statute, to the receipt or written notice sent the banks receiving payment, namely: "I have to state it is not the intention of the Government to remove any such deposits unless it is required to insure their safety." Could the Receiver General *chacquer* out this money?

Hon. Mr. CAMPBELL replied that the Statute said it was to remain there subject to order of Parliament. It was not to be received as ordinary Government money, not to be chequed out, but to remain subject to order of Parliament.

Mr. CHRISTIE complained that that did not answer his question. (Hear, hear.) The Government by their own conditions had divested themselves of control over the money deposited, except in case of real or supposed insolvency. This condition if not contrary to the Statute was incompatible with its words. He would notice some of the clauses which he believed were extremely loosely drawn. Keeping faith with British Columbia, upon which so much stress was laid, was not a point in dispute. It was the interest of British Columbia and all the provinces,

that this charter should be a valid one, and most likely to secure the construction of the road. It is not of that kind. In the last clause, of 9th section, in order to establish an approximate standard whereby should be regulated matters not strictly provided for in the charter, the United States Union Pacific Railroad, was selected as that standard; but in a general way only and not as to details of construction or working that might be found objectionable, nor with respect to alignment and grades. The whole work was to be such as the nature of the country would admit of without undue expense. Now who could tell what undue expense was, or what was the nature of this C. P. R. R. standard? That was the last possible description of a condition. That Union Pacific Railroad charter provided that whenever the company should have completed forty consecutive miles—not simply *proceeded with*—the work, as in the Canadian Railroad charter—of any portion of the said railroad and telegraph line, ready for service, and supplied with all necessary drains, culverts, crossings, etc., and all other appurtenances of a first class railroad, instalments of payment should be granted? That was one point. The President of the United States was to appoint three Commissioners. What has been our practice? Our Government left the whole matter as to the character of this road, of disputes arising under charter, to whom? To three engineers, one appointed by Government, one by the company, and a third by these two. What security had the people of this country that the road should be of a proper character when its whole quantity, construction, grades, alignments, and all matters of minor detail were to be left to these three engineers? Now, by the American standard appealed to, the President appointed three Commissioners, who were to report in relation to all matters of the road, and if 40 consecutive miles were completed and equipped in all respects as law required, upon certificates of Commissioners patents were to issue conveying lands on each side of the road to the prescribed amount. The United States Government reserved the right of saying whether the road was what it should be, and of acting accordingly. That was the proper line for our Government to have followed. Nothing in the Act prohibited their doing so. Motives of public policy ought to have taught Ministers that was a wise provision to follow in the interests of the country. Yet the whole character of the road—all matters of dispute were to be left to a board of engineers, only one of

whom was appointed by the Government. The Board were to decide as to the time and manner in which land grants should be made, the way the money subsidy should be paid, and other points. One did not like to say the Canadian Government were not aware of the American provisions, for they seemed to have referred to the Statute incorporating the United States Pacific Railroad Company; but at all events they did not incorporate them in the present charter, wise as they were. Furthermore, the United States Government, though represented at the Board of Directors by three persons, by subsequent amendment of the Act in 1864, added two more, besides having the power and sole right to determine whether the Company had complied with the terms of their charter or not. What power have we? True, we have some voice in the matter of trustees, of whom Govt. might appoint one, but they would have no representatives at the Board of Directors. They could not know what was going on from time to time, except by communications *ex gratia*, or the ordinary communications which the Company was required to make after meeting of Parliament, and we had a demonstration now of what that would amount to. When we asked for ordinary documents connected with this charter, the Secretary replied he would lay the matter before the Board of Directors when an opportunity arose. With regard to the land grant, he did not believe that on one point the Government were authorized to impose such a condition as they had done, almost wholly in the interest of the company in one clause of the 14th section. Thus, "if any alternate blocks of land are unfit for settlement, the Company shall not be bound to receive any greater depth of land there than one mile from the railway. Now, he did not think that was in accordance with the terms of the statute, but that they were bound to accept this land beyond the mile. We could not tell the exact result, for we had no correct data to go upon. All our estimates must be merely guesses. No surveys of the line of railroad had been made, another point in which the Government had been strangely remiss—in not securing a preliminary survey. How were we to ascertain what was the character of the country; 1,700 or 1,800 miles of this country through which the railway had to pass was probably not capable of settlement.

Hon. Mr. CARRALL expressed dissent.

Hon. Mr. CHRISTIE—Then say the country for 1,000 miles was unfit for cultivation. That would give something like 40 million acres to be deducted on account

of these mile depth blocks. Then we should have to go into the fertile lands of the North West and British Columbia to get the necessary quota of average cultivable lands—probably 80 million acres. So far as he had heard the highest estimate of their extent was 100 million acres of arable land. This railway scheme then would absorb nearly the whole of our available arable lands in the North West. The policy of these land grants of last session was essentially bad. The American practice was the true one. It gave every alternate section a mile square, of 640 acres. They had first a ten mile limit, and beyond that, the infemity lands, to make up for deficiencies in the ten mile limits, caused by homesteads or pre-emption rights; but in all cases the Government only gave each alternate section. We all saw the plan of the Government allowing the company to object to land, beyond a mile in depth, was increasing the difficulties immensely; but that was not all. The lands to be granted in aid of the main line of railway from out of the lands of the Dominion, and in aid of the side branches, must consist of such lands found East of the Rocky Mountains, and the company should not be bound to receive any not of average quality of land in the section of the country best adapted for settlement. He thought that provision was not in accordance with the Statute. Was it ever the intention of Parliament to give Government power to make such awards? The charter was wholly in the interest of the company; beyond that, we had no positive security that the road would ever be constructed. What was the security? The company was to subscribe ten millions of capital and pay into the hands of the Receiver General in cash or Government securities, one tenth of that amount. What had they done with the remaining nine tenths? It was locked up, and calls on that stock were not to be made until all the rest of the moneys coming into the possession of the company, from whatever sources, were expended. Who could tell what would become of these stockholders six years after this, when the money was expended? Might not Americans have control of the whole concern, transfers having been made to them without the consent of the Government, and the whole character and equipment of the road being left to three engineers? What had we as security for the expenditure of 30 millions of money and 50 million acres of land, but this supposed deposit of one million dollars? and beyond that the Government actually permitted, by this charter, borrowing to the extent of

40 thousand dollars a mile on the lands to be acquired by the company? Upon what were the English capitalists relying. Upon the security of the land; there was really no other; 90 per cent of the whole capital was tied up irrevocably until every shilling that came into the possession of the Company was paid out. If they could succeed in floating this scheme in London, he could not see how the Government could relieve themselves of the responsibility under which the charter placed them, because all the words were clear and distinct, the lands, whether *acquired or to be acquired* were the security given to capitalists. The danger of the legislation of last session had been commented upon. He stated on his honour he was not aware of the change introduced into the bill respecting the mode of allotting the subsidy, the substitution of the words "proceeded with" for "completed." This perilous change was a departure from the American Statute. To give an idea of the probable cost of the construction of this road, taking the Union Pacific as the standard, he would mention some figures to the House. The capital stock was \$36,783,000; paid up, \$36,762,300; the entire cost of that road to the 30th June, 1872 not including unadjusted balances with contractors, but including fixtures had been \$114,253,535. The total bonds issued by that company amounted to \$75,894,512, about double the amount of the stock. Now taking the Central Pacific or California, the western part of the road, the stock subscribed was \$59,644,000; paid up, \$54,283,190; bonds issued amounted to within a fraction of \$81,000,000. The cost of construction of the whole road from Omaha to San Francisco included was \$249,441,858 and 54 cents. The Postmaster General referred to the Northern Pacific Road, and stated in justification of the clause inserted by the Government, the fact that the clause existed in the Northern Pacific charter fixing the cost of the alternate sections at two dollars and fifty cents an acre. That was true, but it was not the same with the Union Pacific Railway charter. It was because there was no money subsidy given to the Northern Pacific Road, which received simply a land grant. But the honorable gentleman did not refer to another clause in that charter which restricted the right of subscribing stock in that road to the people of the United States. Our provisions as to land were worse than those of the Northern Pacific charter. What did our average price imply? Not as in the case of the Northern Pacific road, an ab-

solite price, but an average price. What would be the result? That our good lands would need to be sold at \$7 or \$8 an acre, instead of \$2.50, in order to make that the average price. It was not good policy to have any such clause in the charter. Since it is admitted that the Government had gone beyond their powers, when were they going to ask the consent of Parliament to this provision of the charter? We had heard no word of it yet. He thought he had shown enough reason to justify his motion for this Commission. If the Government were prepared fully to defend all they had done in connection with this charter, they had no cause to refuse the motion; but if an investigation by a committee should expose a state of things different from what they had a right to expect, then of course upon the Government would fall the responsibility. He hoped his hon. friend would not refuse the committee. It was a reasonable request, and one which he firmly believed was imperatively demanded in the interest of the country. Should the Government refuse the committee, then the proper inference was that they were afraid of inquiry—that they had done things for which they cannot give good reasons, and had also done things which will not bear the sunshine of public observation. He moved, seconded by the Hon. Mr. Letellier de St. Just, That a committee be appointed to inquire into and report from time to time on all matters relative to the contract for the construction of the Canadian Pacific Railway, granted to Sir Hugh Allan and his associates, prior and subsequent to its being signed, with power to send for persons, papers, records and telegraphic despatches by Atlantic Cable, or otherwise, including all communications between Sir Hugh Allan or any of his associates now in England and the Government, or any member thereof, or any person on their behalf.

Hon. Mr. ALKINS said the hon. gentleman (Christie) took this ground that, inasmuch as the House was not in possession of information he had a right to expect, he considered he was justified in asking a Committee of this kind. He read the first part of a return laid on the table this afternoon in proof of his position. If he had read the whole of it, the House would have felt quite satisfied with its information.

Hon. Mr. CHRISTIE said he did read it.

Hon. Mr. ALKINS replied he read only a part of it. The gentleman who responded to the Senate's demand assigned as the reason why he was not in possession of the whole of the information required was,

that at the time the Committee was formed, he was not the Secretary, and was not cognizant of the transfers that had taken place. So far as Government were concerned, all the papers in their possession were brought down. In order to make out a case against Ministers, the hon. gentleman (Christie) had to travel out of the records of the Dominion of Canada. He was quite well aware no hon. gentleman was more familiar with the constitution, and laws and policies of the United States than the hon. mover; but it was not the object of the Canadian Government to draw their inspiration from the constitution and laws of the United States. It was the purpose of the Canadian Government to confine themselves within the strict letter of the law last year passed (hear, hear.) That act of last session empowered the Government to grant a charter to a Company for construction of the Pacific Railway. The Interoceanic and Canada Pacific Companies were incorporated also. The hon. gentleman said no reason was assigned why the Government did not give the contract to one of those two Companies. He must be well aware that the Interoceanic, represented by the hon. member for Toronto (Macpherson) refused to amalgamate with the Canada Pacific Company of which the hon. gentleman from Paris (Christie) was one of the Provisional Directors for the reason that he believed, or professed to believe, that the Interoceanic was somewhat American in its character and relations—that it was not to be trusted, being more or less under the influence of the Northern Pacific Company, and this notwithstanding the Canada Pacific Company, asserted they were quite as Canadian as the Interoceanic, and as British in sentiment. Hence the Government were placed in this position, so far as those companies were concerned, notwithstanding their desire to favor the strongest possible company, of all the best men—they were unable to accomplish their object. The hon. gentleman said he could not understand why one of the companies did not receive the charter. Now the Company with which he was connected, was considered to be more or less a Lower Canada Company, while the Company with which the hon. member from Toronto was connected was regarded as more or less an Ontario Company. Hence had the contract been given the Canada Pacific Company, the Senator from Toronto might have continued to indulge in the accusations, already on record, as to its American character, while, had the Interoceanic Company been chosen, the Senator from Paris (Christie) and others might have complained, of these thirty

millions of money and fifty million acres of land being given such a sectional corporation. The Government took the only course to prevent sectional jealousy, namely to construct another Co., taking the best material to be found in Canada therefor. He (Mr. Aikins) had no hesitation in saying the Co., which had received the contract, did embrace the best material in the Dominion. For instance, look at the Engineers—Mr. Shanly stood deservedly high as a skilful man and a successful railway man; wherever known he was, moreover, respected. There was Mr. Fleming, a man connected with some of the largest railway enterprises of the country, and everywhere favorably known. Next, Mr. Burpee, a gentleman from New Brunswick, who enjoyed a fame in the Lower Provinces for energy, perseverance and success as a railway contractor and engineer. Besides there was Mr. Cumberland, of high professional repute, and a successful railway manager. Take the other gentlemen, they are men of wealth, standing, representative men in the various provinces of the Dominion. The great object of the Government was not to travel out of the provisions of the Act of Parliament of last year, and he contended they had kept within its provisions so far as they could be made applicable to the granting of a charter. The hon. gentleman opposite (Mr. Christie) said the security given under this charter, was no security at all, that this money to be subscribed should have been placed in the hands of the Receiver General, and it was to be supposed, put in a box and locked up in one of the Government vaults. So placed, it would be of no use to the Government nor the Co., whatever; but, depositing it in chartered banks, of whose solvency the Government felt satisfied, he did not see how there could be better security. The hon. gentleman gave no reason for his statement, that this was not a valid charter. He had not the least doubt that if the Co. with which that hon. member was connected, had received the charter, he would have deemed it perfectly valid.

Hon. Mr. CHRISTIE said his connection was of a nominal character.

Hon. Mr. AIKINS said he was one of the promoters of the bill last year, and one of the provisional directors. He had quoted the Union Pacific, and the powers possessed by the United States Government, and their voice in the board of direction. He (Mr. Aikins) thought that hon. gentleman would admit the members of this Parliament, too, had a proper check over the Government, having directors on that Board. The experience of

the past would not warrant his conclusions. The Government had directors on the Grand Trunk Board during the building and after the completion of the road. He did not think the hon. gentleman was then favourable to this Government representation. He fancied, if his memory was correct, he had heard him (Mr. Christie) on more than one occasion, denounce this Government connection with the road, as a machine used for political purposes and party objects. (Hear, hear.) One part of his argument he could not understand. That hon. member objected, first that the land grant was very large and valuable—that there must be 100,000,000 of acres—that the Co. was not bound to accept lands unfit for settlement, and could take its 50 million acres out of the Fertile Belt. His statement last year or year before, was different from that just delivered. (Hear, hear.) He stated that, so far as the lands were concerned, there must be very little value whatever attached to them. (See page 240 of the debates.) Then he thought 'we might as well leave the land grant out of the calculation altogether.' The country was spoken of as not fit for agricultural purposes, till we got to Red River, in which region it was alleged there were some 60 million acres of fertile land. Then he imagined this included all the fertile belt; now, however, he supposes there may be 100 million acres within it; and, if there were, and the Government were to have the alternate blocks, he was at a loss to see how this Co. had received all the good blocks. Government should have 50 millions by this estimate. The hon. gentleman's argument on this point fell to the ground. With regard to fixing the average price of \$2.50 an acre on the Government lands, to which so much objection was taken, the Government and the Parliament had concluded it was wise not to do anything that would unduly press on the industry and resources of the Dominion. It was understood that the disposal of the Government's 50 million acres was one of the ways they would recoup themselves for the 30 million dollars they would spend on the road. The hon. gentleman complained that we did not know when the road would be completed, while the Co. would draw the money and land subsidy at will, leaving us no protection nor security as to the performance of the contract. But the 30 millions and 50 millions could not speedily be absorbed, nor could these subsidies be granted unless the work was completed; so if only a portion was done they would receive only a portion of the money and land. The efficiency of a committee in extracting information, not

to be got by an address, the success of the Intercolonial Railway Committee were extolled by the hon. gentleman on rising. It was well known when the hon. gentleman from Kent asked for his Committee he professed nothing but friendship to the Government, and a sole desire to obtain information to assist the Government in the construction of the Intercolonial. It struck him (Mr. Aikins) the present case was scarcely analogous, because a similar motion to that of the hon. gentleman's (Mr. Christie) had been asked for in the other House by a member of the Opposition—a committee with seven members to enquire into all matters connected with the Pacific Railway contract. All the information on the subject under discussion had been brought by the Government before the House, so that no committee could obtain any more. But when that motion was proposed in the other House, it was understood that it was one of want of confidence. It was so stated in the public papers, and by some members of the House who supported it. Nor could it be regarded in any other light. The hon. member might as well have a committee sitting to enquire into the action of the Government as regards anything else. The present committee sat at the instance of the leader of the Government. They had no objection to an investigation of the fullest possible character. They had nothing to fear from it and were anxious it should be conducted in the most solemn manner, that the witnesses should be examined under oath. The Government then could not for a moment consent to receive such a motion as this, at the hands of that hon. gentleman, who was bitterly opposed to them, and whose whole and sole object in this matter was to produce some hostile political effect, on the minds of hon. gentlemen here and people elsewhere. Could any thing be more childish or farcical than to see two Committees sitting in the same house, at the same time, examining the same papers, and witnesses touching the same subject? The Government did not, and could not accede to this motion.

Hon. Mr. CARRALL—Will not accede to it.

Hon. Mr. AIKINS will not. (Cheers.) All the provisions of the U. P. R. R. Act, affording the public any valuable security, were introduced into the Canadian Act. It was not to be supposed every one could be copied, when the Canadian Act was sufficiently broad and careful to provide for every reasonable contingency. If it was sufficient, was the hon. gentleman justified in his strictures? But ad-

mitting he was, in some respects, there was something he might ask for a committee to examine; but to desire a committee to sit and examine everything connected with this charter, was so absurd as to create surprise at its proposal. It meant nothing but a vote of want of confidence in the Government, and that being so it could not be granted. (Cheers.)

Hon. Mr. VIDAL said—the motion is one of very great importance, inasmuch as under the terms in which it has been brought before us, has been reopened the discussion upon the resolutions of the hon. gentleman from Toronto (Mr. Macpherson), so summarily disposed of the other day in this House. I do not concur in the opinion of the hon. member from Paris (Mr. Christie) with respect to the arbitrary nature of this disposal. He charged the Government with desiring to evade a discussion upon the question. Now there was ample time given for the continuance of the debate, and it is most unfair to say that the Government endeavored to prevent it or in any way indicated an unwillingness to have the whole question freely discussed. It was only after several minutes had elapsed without any hon. member rising to speak, that the vote was taken on the Hon. Postmaster General's amendment. I may remark that that amendment did not fully meet my views as to what it was desirable to place on record as the opinion of this House on the subject; it merely affirmed the inexpediency of discussing the resolutions. I should have proposed to have recorded in direct terms, an approval of the charter granted to the Canadian Pacific Railway Company, and of the action of the Government in granting it. By this course we should have, in a greater measure than has now been done, strengthened the hands of the parties endeavoring to negotiate the bonds, and inspired with confidence in the undertaking, the capitalists in England and on the continent, without whose money the road cannot possibly be built. The chief objections brought forward against the Canadian Pacific Railway Company, are its alleged American complexion, and that it would place our railway under the control of American capitalists, whose desire would be to prevent its construction. Now this is a mere chimera, a *bête noir*, designed to alarm us. I see no justification for this supposition, no reason to believe the railway will pass from under the control and management of Canadians. We have a full account of all the negotiations that took place between the Government and the



companies, and we find that it was the anxious desire of the Government to embrace in one company all the influence and power obtainable in Canada for the construction of this great work, and the Government is entitled to the thanks of the country for their efforts in this direction. My hon. friend from Toronto says the Interoceanic Company was formed principally with a view to keep this work in Canadian hands. We find it was composed of 107 individuals, gentlemen of wealth, influence and independent character. The Canada Pacific with which the Government desired to secure its amalgamation was composed of 18 members only. Can it be possible that 107 gentlemen of the high position and influence spoken of were afraid they should be coerced and controlled, and deprived of the management of this enterprise by the 18? If that company really was organized to retain the control of the road in Canadian hands it should have at once amalgamated with the other as the surest way to secure its object. The honorable gentleman from Toronto is a tower of strength to any company. His unstained record, his great ability, and long connection with public works have given his name great weight as a guarantee of the standing of the company with whom he might be associated, and it is with great regret I see that he has taken a position antagonistic to this important enterprise. The Interoceanic Company have not protested or petitioned against this charter. Have we any memorial or remonstrance, or anything to show that the company considered that the Government had not dealt fairly and honorably by it in this matter? We have none, and when we see the names of some of the most influential members of that company now incorporated with the Canadian Pacific Company, we are inclined to think that it is not regarded by any considerable portion of them as an American enterprise. The hon. member from Paris (Christie), looks forward to the events he imagines possible after the next six years, with a feeling of dismay. Then, he says, the road is to pass into American hands. This is not a possible event. If it is constructed and managed by Canadians for six years, its national character will then have acquired such stability in the country that there will be no danger of its passing into the hands of Americans. I have studied carefully several works written on the North-West Country, and cannot agree with the hon. gentleman from Paris that there is something like a thousand miles on the

route of the railway unfit for settlement. True, the great American desert extends north of the boundary line into Canadian territory, but I believe there is the best evidence to show that it will not reach the line of the Pacific railway. We have in Ontario itself many spots not well adapted for cultivation, and doubtless in many parts of the Northwest there may be similar tracts, but I believe that from the base of the Rocky Mountains to Manitoba the country is generally fit for settlement. When we compare the proposed route of our railway with the American Pacific Railways, we see the immense advantages we possess. We have a better tract of country for a railroad than the so-called rival line, the Northern Pacific, which passes through several hundred miles of the Great Desert, or than the Union Pacific more especially, which traverses a region of elevated land, which for 1789 miles stands at an average height of 6,000 feet above the sea, while the elevated land of the Canadian Pacific line extends 1,200 miles, with an average height of 1716 feet above the sea. Competent judges consider the subsidy of 30,000,000, with our liberal land grant sufficient to pay for the construction of the railway. I am satisfied it will prove so, and do not speak without some acquaintance with such matters, having been formerly a land surveyor myself. We have, therefore, no need to anticipate injurious competition from the Northern Pacific Railway. It has to pass as I have already stated, through hundreds of miles of the great American desert, and has already reached the vicinity of its unsaleable tracts of lands. Much fault has been found with the Government for attaching the average minimum value of \$2.50 an acre to the lands, contiguous to the railway as excessive. The Americans have placed double value on their railway lands. I have in my hand a list of prices of land on twenty-four American railroads, and the lowest quoted is \$3.07 per acre on the Kansas Pacific. On the Northern Pacific it is \$4.25; on the St. Paul, \$6.50, and yet the Government average value of \$2.50 is spoken of as a high one. I believe the average value fixed conditionally by Government will be found just and fair. But if it should prove an impediment to settlement it is open to correction.

Hon. Mr. LETELLIER DE ST. JUST—  
By what mode is it open to correction?

Hon. Mr. VIDAL—By a provision of the charter it must be submitted for the sanction of Parliament. The member from Paris has asked whether the Government is going to bring down a measure to ob-

tain this sanction during this session; such a course is manifestly impracticable. Moreover it is possible, although I hope most improbable, that the last clause but one of the charter may yet come into effect. If it should be so, if the Government should be compelled before May 1874 to declare this charter null and void, this arrangement would be premature and of no effect.

Hon. Mr. MACPHERSON—The provision the hon. gentleman refers to is the one fixing the price. To give this clause effect requires the sanction of Parliament.

Hon. Mr. VIDAL read and explained the clause according to his understanding of its provisions, and continued. Many of the statements and assertions which have been advanced on this subject will not stand examination. Is no confidence to be placed in any body, neither in the Government nor any of the gentlemen forming the Railway Co.? Are we to withdraw all confidence from the chartered banks whose character stands so high? The deposit of a million dollars with them is described as a bogus kind of security. I contend that money deposited with them is as secure as in the Receiver General's chest. Although these deposits remain for the present in the several banks, they stand there in the name of the Receiver General. The banks are responsible to him for this money, and in gold. I hold that this is security both ample and sufficient. Moreover, the Government retains a lien on nine-tenths of the subscribed capital as security, that after the expenditure of all the money raised by the sale of the bonds the road should be not only constructed, but equipped and worked, as is clearly set forth in the terms of the charter. The hon. gentleman here read clauses of the charter to establish his view that the company was under obligation to equip and work the road as completed. He then proceeded to say, consequently there is no weight to be attached to the assertion which has been so strongly made, that the road might be constructed and the money expended so as to leave it on our hands without the possibility of working it. Now, with regard to the Trustees—the most important officers of the company—the hon. gentleman from Toronto (Mr. Macpherson) had put an extraordinary interpretation on the clause appointing them, namely, that the company can dismiss them. That power is not in the charter, if I understand English. They are to be chosen, one by the Govern-

ment, one by the company, and one by the bondholders, and each is to be removable only at the pleasure and by the act of the party appointing him.

Hon. Mr. MACPHERSON—That is not clear.

Hon. Mr. VIDAL—It is as perfectly clear to me how they are to be dismissed as how they are to be chosen. The power that can appoint is the only one that can dismiss. That is the plain and inevitable deduction from this portion of the charter. The creation of the Board of Trustees, and the defining of their power and duties, is a provision most necessary to give confidence to money lenders in England. It was important it should be known that all this money should lie in the hands of trustees.

Hon. Mr. MACPHERSON called attention to the 6th sub-section of the 23rd clause.

Hon. Mr. VIDAL read the clause, and said that no direction for performance of duties could be made contrary to the terms of the charter itself, and particularly when the terms are so clear as to the Trustees receiving the \$3,000,000 of subsidy, provincial and municipal grants, and the proceeds of sales of land, etc., and being charged with the duty of paying the interest of the bonds, and the bonds themselves as such payments become severally due. Mere matters of regulation such as are evidently intended by the 6th sub-section referred to, could not be made to conflict with the main provisions of the charter which regulates the appointment, the removal, and the powers and duties of the Trustees. The provision made in section 11 for regular inspection by Government officers of all matters connected with the railway, has been apparently, I may not say intentionally, overlooked by the objectors to the charter, yet it shows that on all these matters the Government has taken the greatest possible care to secure the construction of the road, and the faithful application of the grants in aid. The acceptance of the motion now before the House would be tantamount to declaring that it had no confidence in Ministers, or in the wisdom of the provisions of the charter. By such an act we should give a fatal stab to any hope of raising money in the English market for the construction of this road. I do think it is of the highest importance to consider the influence our adoption of it would have on the negotiation of the bonds of the Company, and consequently on the building of its line. The appointment of three engineers as arbitrators to settle questions or difficulties that

may arise between the Government and the Company, has been made a subject of ridicule. I cannot see why three commissioners appointed by the Government should be considered more honest, capable or responsible guardians of the public interests than three engineers—men of scientific skill, of experience in construction of railways, and fully acquainted with all matters connected with their duties. They are only called upon to act as arbitrators in cases of disagreement between the Company and the Government. Disparaging allusion was made to the Union Pacific road, being named as in a general way a standard of comparison. I would like to know what better standard could be adopted? It would doubtless be extremely unwise to take it as an absolute standard in all things, it is therefore chosen and expressly mentioned as only a kind of general guide or help. The government is deserving of commendation for the very great care which every portion of the charter shows they have taken to secure, not only the construction of the work, but its construction upon the most favorable terms. This great work is so necessary for our Dominion, that it is deeply to be regretted that any parties should allow political feeling to be brought to bear against it at all. It is an enterprise so intimately connected with the growth and prosperity of the Dominion, that it should enlist all our sympathies and help, and we should do everything in our power to strengthen the hands of the Government and secure the completion of the road at the earliest possible moment. We are awaiting its completion, to carry tens of thousands of settlers to the rich regions through which it will pass, the fertile and salubrious country bordering on the Saskatchewan; and in a very few years, if the enterprise succeeds, as I trust it will, we shall have the large prosperous Province of Ontario exceeded in population, if not in wealth and importance, by our new sister provinces in the far West. (Cheers).

Hon. Mr. WILMOT said he did not think that the appointment of the committee would do any harm, and he was aware that the Intercolonial Railway Committee had produced the good effect of economizing the public expenditures in many particulars. The first action taken with regard to the Canada Pacific Railway, was when propositions were made to bring British Columbia into the Union. What British Columbia then asked was perfectly reasonable—that there should be expended not less than a million annually, in order to open communication between the

Pacific coast and the other portions of the Dominion, by means of a railway or otherwise. When the bill came before this House, he certainly thought we had travelled far beyond our means—when Gov. pledged the faith of the country, that the railroad should be commenced within two years and completed within ten, without knowing what the cost was to be, or what would be the result on the future of this country. The hon. gentleman who had just sat down (Hon. Mr. Vidal), spoke of the great advantages that must result from the opening up of this country for settlement. He (Mr. Wilmot), knew what was the present condition of his section of the Dominion, that the great difficulty was to get labourers to work on the lands they had in cultivation, and to find men to do the work of the Province. If this proposed expenditure was hastily handled it would revolutionize the existing state of the labor market in all parts of the Dominion. It was all very well to say the Government would carry out the work honestly and prudently, and that we should all have confidence in Ministers. He thought it was very desirable on the part of Parliament that everything should be done to secure an economical and honest expenditure. We ought to have, however, before rushing into this expenditure something like a thorough examination of the country, with a view to a reasonable knowledge of its character. He regretted that the gentleman who was Chief Engineer on the Intercolonial and had been appointed chief engineer of the Canada Pacific Railroad, was now a director in that company. He ought not to have taken that position. If he was acting for the country in connection with these public works, he should so have continued for the protection of its interests. Now with regard to the security afforded the people by the deposit of a million dollars in a number of the chartered banks, which was to enable parties to obtain control of thirty millions of dollars and 50 to 100 million acres of land—his experience of railroads in his own part of the country which, doubtless, accorded with that of honorable gentlemen from the other Provinces, induced him to be very careful in such matters. He would much rather have seen this million in the shape of public debentures placed in the hands of the Receiver General than an apparent deposit in the banks, and it was pretty difficult to say in what way it was deposited. (Hear, hear, and a laugh). He saw the names of some among the depositors, who, he was not quite sure had the money set down to them, (Laughter.) There might be notes; but there

was something or other which enabled them to make this return to the Receiver General; but he would prefer actual securities with the Government, bearing interest, and the requirements of the law fulfilled. As to our capacity for this great enterprise, four millions of people no doubt could do a great deal, but could not undertake impossibilities. Here were we attempting a thing never, he thought, attempted in the world before, the building of a railroad 2,700 miles in length, with a population of some 30,000 along the route. In his judgment this was simply an absurdity. [Hear, hear.] It was resolved in another branch of the Legislature that the expenditure on this road should not increase the taxation of the country. That resolution was an absolute absurdity. When we looked across the Atlantic and observed how moderately and carefully some of the greatest nations began their career, we found a striking lesson and example. There was the Empire of Germany, one of the greatest powers on the continent, and all knew how it commenced as the Electorate of Brandenburg; it was by the industry and economy of the people and the honesty and wisdom of the Government that it became so powerful. We had here, in North America, a great heritage, worthy of wise cultivation and good management. If we tried to borrow money indiscriminately in other countries we should end in failure and bankruptcy. He was surprised when this measure passed, that sensible, practical business men, looking at the facts as they existed, should have pledged the faith of this country to the undertaking of a work of this enormous, stupendous character, and particularly to its completion within ten years. If the company did not carry it out, what would be the position and upshot? They would have had the handling of the money and the lands, and could hypothecate the lands before they completed the road; and if he read the charter and agreement correctly, it would not be difficult to so manipulate the funds as to recoup the amount of their deposit. He was satisfied this committee would not be granted. (Ironical cheers). But he thought, for the interest of the country, it would be most desirable. (Hear, hear). The public purse should be carefully guarded and watched over, and it was very desirable there should be something more than this contract to give the people confidence and afford the country protection in regard to this great enterprise. (Chee s.)

The Hon. Mr. CARRALL said he would endeavor to occupy the twenty-five

minutes before the dinner hour as pleasantly and profitably as possible. (Laughter.) No subject ever came up for discussion in this assemblage that had challenged more earnest and heartfelt anxiety than that of the Canadian Pacific Railway. It fell to him, although a very young man to give birth to that railroad. From the days of Jacques Cartier down to the present there had been dreams of a North American nationality, but it remained for British Columbia, the youngest province of the Dominion to give palpable form and shape, substantiality, tangibility and existence to the railroad in the conditions negotiated between the Government of the Dominion and that Province. He was glad to stand up godfather for what old Canada dared not or would not do. We of British Columbia put the railroad as one of the conditions of Union, and we found the Government equal to the occasion. Probably public opinion was not as advanced as we were on this point; but he had lived to see public opinion educated up, not only to regarding this railroad as a foregone conclusion, but to concerning itself simply with matters of detail in connection therewith. Objection was made simply as to details, nobody saying we should not have this road. He wanted now to deal with a statement and assumption incessantly indulged in. We of British Columbia hurled back the notion that this railroad was to be built for us. When the Dominion in its infantile stage began to long for extension, so as to have territorial and other advantages to enable it to compete with the neighbouring nation, it naturally sought this extension beyond the borders of British Columbia. Barkis was willing, we did not object; we were only too anxious. Before that, however, Canada had pledged herself to construct a railway to the Rocky Mountains, so that this great portion of the line was not to be built for British Columbia. We did not offer our fisheries, minerals and territorial and other rights for the sake of a railroad; but said if we were to become part of this nation, it should complete the undertaking and connect both oceans by the extension of this railroad to the Pacific slope. He commented upon the advantages this road would yield to Canada in the transportation of merchandize and emigrants. Now-a-days almost every inch of the Atlantic was covered with steamers employed in decentralising or relieving the congested European centres of population. The United States had been the great depositing depot. We had allowed these currents of humanity to be diverted to the South, and should now endeavour to at-

tract them hither. (Hear, hear.) To-day the wall of China was removed by the enterprise and enlightenment of the Government, and we were able to offer a short northern channel for the traffic between that country and the Old World. As to the ability of the Dominion to cope with this project, it would have to contribute thirty million dollars to the work, which the Government said was possible without adding one dollar to the taxation. To this feat they stood pledged. The labourers and immigrants necessary to construct the road would pay taxes themselves on all they consumed, thus helping to swell the revenue of the Dominion. The Finance Minister asked for no fresh imposts. Well then, if this railroad has an evil, it carried with it its own cure, the power of its own construction. With respect to the resolutions of his hon. friend (Hon. Mr. Macpherson) they constituted an attack upon the Government of the most unjust description. The Government had already almost completed the Intercolonial, one of the best railroads in the world. The course of the hon. gentleman opposite on this and other questions, notwithstanding, had been a constant system of grumbling and nagging, and making all sorts of trouble about the railroad. [A laugh.] Yet his worthy friend [Hon. Mr. Macpherson] one of the Canadian peers, and worthy to be a peer [laughter] came and asked the Government to abrogate a solemn compact, and put this road under construction by the Public Works Department. He defended the conduct of the Government in constructing this Company out of the fragments of the previous Companies, arguing no one company could have constructed the road, or at least as well as both combined, and that there was enough work for the talents and energies of all the parties. It was ridiculous for hon. gentlemen opposite now to ask the Government to construct a work which, twelve months ago, they insisted the Government should not undertake (Hear, hear) The Government had simply taken advantage of all the powers conferred upon them by the Act of last year, and his hon. friend (Mr. Christie) now asked for all the petty details, and sought to make a capital crime of the mode of placing the deposits. Nothing could be more absurd. (Laughter.) He held this was essentially a motion of non-confidence—this demand for details of all matters connected with the Road and its promotion, because Agamemnon and Achilles had disagreed and remained unreconciled. (Laughter.)

Hon. Mr. LETELLIER DE ST. JUST

said it was an error to describe this as a motion of want of confidence. [Ironical cheers from the Government.]

Hon. Mr. CAMPBELL—The hon. gentleman from British Columbia was quite right.

Hon. Mr. LETELLIER DE ST. JUST—The Postmaster General knows better.

Hon. Mr. CARRALL ridiculed the notion that the price of \$2.50 would keep people out of our North West lands; lands of the Union Pacific and Nebraska roads were selling at \$30 an acre. When we only gave \$30,000,000, and the greater portion of the subsidy was in land, it would be in the interest of the company to settle the lands speedily, and augment the population in every possible way. If the price impeded settlement, self interest would dictate its reduction. The value of the lands would far exceed \$2.50. The railway would carry such numbers of settlers across the continent as must soon raise the value of those lands. Objection was made to foreign capital. He did not care about Yankee capital; or what it constructed, so long as it lay within our borders. On the contrary, he congratulated the men, Americans or other, who had the courage and boldness to undertake this road. (Hear, hear.)

It being now six o'clock the House rose.

#### AFTER RECESS.

The House met at half-past seven.

Hon. Mr. CARRALL resuming his remarks, stated he repeated this Pacific Railway was not distinctly and separately a British Columbia undertaking, and that this Province only took the part it behoved her to take in reference thereto. She felt it was in the interest of the Dominion to have this road, to enable it to compete with the United States for the European emigration. It was put on the ground of keeping faith with British Columbia. That fidelity was very good. British Columbia was glad as a portion of the Dominion to have the whole road constructed. We had in our minds only the asking for its extension from the Rocky Mountains to the shores of the Pacific. Though this enterprise could not fairly be charged to one Province in the Dominion constellation, it deserved the support of every man in the country. Before this scheme we should drop partizanship and unite, for upon its success depended to a certain extent the progress and the vitality of the Dominion itself. Though the political union stretched from sea to sea, the railway was its keystone. It was the completing work of him who, however, people might differ from him in

politics, was the great father of this young Dominion—he meant our Premier. This was his last, his noblest work, as one of the nation-makers; and if he had not perceived the necessity of this enterprise, he, so far-seeing and comprehensive a statesman, would never have risked the existence of himself and party, and almost the credit of the Dominion itself in undertaking it. (Hear, hear.) He was glad to have this opportunity of paying a tribute to so great a statesman. When we came here from British Columbia, although he was then stretched on a bed of sickness, he and his colleagues were found ready to grapple with this undertaking. He was willing to risk the existence of his brilliant popularity and career to make Canada one of the family of great nations, and to strengthen the empire to which we belong. He (Mr. Carrall) could not help thinking however earnest some of the opponents of this policy might be, that their course was unpatriotic, and wounded self-love was among their motives. Only a year ago there was one loud-mouthed unanimous opinion that this railway should be a work of private enterprise, while the other day we were asked by a series of resolutions stifled in the throes of birth [laughter]; to go back and put this enterprise under the supervision of the Government; whilst he did not deny good work could and would be done under the able supervision of the Minister of Public Works, and a railway secured that would give satisfaction to the Dominion at large, it would be a never-ending bone of contention. Although he could wish the work was done this way, he could not see why the Government should abrogate their present charter contract with Sir Hugh Allan, in view of the difficulties it would not only lead them into, but the probable peril to their political existence. If they failed, he doubted if any Government could ever be sufficiently strong to construct this railway with satisfaction to the public at large. He praised the Intercolonial Railway as a capital road of full value for the money, and held that an excellent Pacific Railway might also be constructed. The country was superior to that of the Americans in agricultural and mineral resources. The report of that able and energetic engineer, Mr. Fleming, showed that three fourths of the American road were on a higher level than the highest portions of the Canadian Pacific route. He concluded with a reiteration of his conviction that the Government had acted in a manner both wise and patriotic in regard to this railway, and that the present motion was unneces-

sary and injurious, worthy only of rejection. [Cheers.]

Hon. Mr. LÉVELLER DE ST. JUST said the remarks of the last speaker had referred principally to the resolutions which were before the House the other day, whereas the question now before the House was simply whether a Committee should be granted to enquire into the matters connected with the Pacific Railway. The hon. Secretary of State had been pleased to say that the motion was one of want of confidence. He would call the hon. gentleman's attention to the fact that, some two or three years ago, a member from New Brunswick had moved for a Committee of Enquiry into certain facts connected with the Intercolonial Railway. That committee was granted and it was not considered that the motion was one of want of confidence. He would say positively that it was not the intention of the hon. gentleman who moved this motion to bring it up as one of want of confidence. All he wanted was to elicit the whole facts of the case, just as had been done by the Intercolonial Railway Committee. The enquiry in that case had proved very beneficial to the country, and he believed if in this case an enquiry was granted, it would result in the advancement of the public interest. He adverted to the vast importance of this Pacific Railway scheme, and how it affected the most vital interests of the country. And a motion to enquire into matters connected with such an important enterprise ought not to be voted down as a motion of want of confidence, which he contended was to examine into the contract and report to the House in accordance with the facts. Was it contrary, he would ask, to the interests of the Dominion that members of this House should know all the particulars of this scheme? There was no question now as to the building of the road. Everyone admitted that the country was pledged to build it. It was not then desired by anybody that the Government should be embarrassed in their efforts to maintain the public faith. What they desired was to remove all suspicion resting upon this contract. The hon. member for Sarnia had stated that if all the members had the same confidence in the Government that he had, they would not have asked for this committee. He knew that that hon. gentleman had now great confidence in the Government, but he would remind the House that there was a time when that same hon. gentleman had no confidence in the Government, and was ready at any time to investigate their conduct. The hon. Postmaster General had endeav-

vored to make a personal matter of this question, and had alluded to certain alleged motives for bringing it before the House. He thought the hon. gentleman should have rested the case on its own merits, which was the only matter which the House should consider. He went on to comment upon the facts connected with the formation of a new company. The Government had failed to make any arrangements with two incorporated companies, and they had formed a new one in a way which, to say the very least of it, was very unusual. They found that the leader of the Government, representing one side, had signed for two parties representing the other side of the contract, so that in fact the hon. gentleman represented both parties. It turned out that the leader of the Government had no written power of attorney for attaching the signatures of these gentlemen, and yet these signatures were attached to a contract, the carrying out of which involved an enormous expenditure to this country. He would ask hon. gentlemen if that was a proper way of dealing with the affairs of this country? He would put the question if ordinary business precautions had been taken in this case? No man, he contended, could view it in that light, unless he were blinded by a desire to sustain the men now in power. Under the circumstances it was very extraordinary that when this power of attorney was exercised by the Premier, there existed no written authority for it; yet, according to the arguments of gentlemen opposite, the House must declare itself satisfied with that way of dealing with the affairs of the country, but there was not a single gentleman on the other side of the House who would permit his own private affairs to be conducted in the same way. They were told that the parties forming this Company were men of high standing. He was quite free to say that some of them were not men of standing. There were two men who figured in that list of shareholders, to the amount of \$76,000 each, who to his knowledge were not worth \$4,000; yet, notwithstanding this knowledge of facts, the House was asked to declare it was quite satisfied with everything that had been done, and no enquiry should be permitted. But supposing every possible precaution had been taken to protect the public interest, it would still be a satisfaction to the country, and it should be to the Government, to grant this committee in order that the fact might be established. The very fact that the Government resisted this enquiry would tend to increase the

suspicion which now prevailed. However, he knew that the whole thing was in the hands of the Government, and that they could control this House. The standing of the Liberal party in the House was not what it ought to be. They had not received that consideration at the hands of the Government which they were entitled to by the agreement entered into at the time of Confederation. Every appointment that had been made since then had been made from the Government side, and yet the Premier had distinctly promised at the time of Confederation that both parties should be fully recognized in the appointments to the Senate. Now they were told that this only referred to the first appointments. The Government had been able to control this House, and might thus refuse this Committee of Enquiry, but for that they would be judged by the country. He did not believe that this country would become bankrupt even under the management of a bad government, because he believed that the resources of this country were strong enough not only to overcome mismanagement, but to overcome the extravagance of the Government, and meet very large expenditure which was being incurred, and to fulfil the pledges to which this country was committed. He was satisfied that additional taxation would have to be resorted to; in that way bankruptcy might be avoided, but the people would have to bear the burden. Last year, when the Pacific Railway Act was before this House, the Opposition had contended that we should be in possession of more information before we undertook so great an enterprise, but they were told that the Government were in possession of very important documents from Sandford Fleming and others, and that next session they would be laid before the House, and it would be found they contained all the needed information. He would like to know where these reports were now. They had never been laid before Parliament, and this day Parliament was quite ignorant of the true condition of the country through which this railway was to pass, and yet, when this House asked for a Committee to enquire into the matter and supply that information they required on the subject, they were refused it, and were informed they must rely entirely upon the Government. He would ask if this House thought that a proper mode of dealing with a question that would involve the expenditure of millions of dollars yearly. Surely the House had a right to know all the facts connected with so vast an undertaking, but they now

found that Mr. Fleming had been transferred from an engineer on the line to one of its directors, so that the information which he had gathered, and which should have been for the benefit of the Government and the House, had really turned out for the benefit of the directors themselves, and the House was denied the information which that gentleman had been paid to collect. In conclusion he would observe, in reference to some remarks of hon. gentlemen opposite, that he and the gentlemen with whom he had acted were actuated by as high and patriotic motives as any gentleman on the other side. Patriotism did not exclusively belong to the Government side of the House. He and his coadjutors desired to advance the prosperity of this country as much as any gentleman could, and he believed that it was in the interest of the country as well as of the Government itself that the whole facts connected with this undertaking should be made known to Parliament.

Senator FRANK SMITH said he had been a member of the Inter-oceanic Company, and he had hoped that that company, composed as it was of 107 men would have been in a different position today from what it occupied. He regretted that the hon. gentleman at the head of the company had not joined the new company which had been formed by the Government, as he would have brought great strength to it. He was satisfied that the Government was not to blame for this. He knew that a gentleman occupying a high position in another place had waited upon that gentleman in Toronto for the purpose of endeavoring to get him to join the new company, and had invited him to Ottawa at the same time as he had invited Sir Hugh Allan. Sir Hugh came to Ottawa, but the president of the Inter-oceanic Company did not put in an appearance. He (Mr. Smith) thought it was due to the Government as well as to the 107 men belonging to the company, that that gentleman should have gone to Ottawa and made the best terms he could. He (Mr. Smith) was one of the humblest members of the company, but he felt it his duty to come to Ottawa and render all the assistance he could towards forming a new company. He went on to say that he knew the Government had no intention to allow the Americans to control the road, but were determined that it should be kept in the hands of the Canadians. He did not consider a committee was necessary, especially as a committee had been appointed for the same purpose in the Commons. The House already had the contract before them, and other papers showing who were

the directors, how much they had deposited, and where they had deposited it. All that the committee was wanted for was to eamage the Government. It had been said that the road could not be built, and that the money could not be raised in England. He did not entertain that view. The fifty million acres of land, at \$2.50 per acre, would make one hundred and twenty-five millions, which added to the thirty million subsidy, would make one hundred and fifty-five millions, or \$57,407 per mile; taking 50 cents an acre off the land for expenses, it would still leave \$48,000 per mile. Then supposing \$22,000 per mile was raised by bonds, that would give \$70,000 per mile, which would be far more than the road would cost. He was sorry, he repeated, that his hon. friend had not stood by his company, and that if there were any good things going he would not have his share. (Hear, hear, and laughter) The motion before the House he regarded as one of want of confidence, and was only proposed to have effect on the country, and he would take much pleasure in voting against it. (Cheers)

Senator BUREAU said he was surprised to hear the hon. gentleman (Mr. Aikins) state this motion was one of want of confidence in the Government, seeing that since Confederation they had made twenty-four nominations to the Senate, in which they had set aside Liberals, and filled the vacancies with men whose political views were opposed to those of their predecessors. He contended that, even if this was a motion of want of confidence, it could have no effect; and he cited an instance in the old Legislative Council of Canada, where a direct motion of want of confidence was proposed and carried, and yet the existence of the Government was not affected in the least. The motion before the House was one of very great importance. It was to consider the facts connected with the granting of a charter, which, he had no doubt, if submitted to the Privy Council in England would be declared contrary to both the letter and spirit of the law. This view would be apparent as reasonable if they reflected upon the speech of the ex Finance Minister last session, in which he distinctly stated that the intention of the 15th clause of the Act was to give the Government power to issue a charter for the Pacific Railway. The proviso at the end of that clause was to the effect that one of the conditions of the charter should be that at least ten per cent of the capital should be paid into the hands of the Receiver General in money or Government securities.



within one month after the date of the charter. That was not done in this case, and for proof of that they had documents before them signed by the Receiver General, who had never seen the money. He said in his letter that he had received certificates from different banks that such an amount was deposited with them on certain conditions. Now, it was very important that the capitalists in England should know whether this contract was really a legal one or not. Could we say in the face of the letter from the Receiver General that the money had actually been deposited in his hands as required by the law? He (Mr. Bureau) thought we could not. With a committee we could call the Receiver General, and he could testify whether he had received the security money or not. He quoted the remarks of the ex-Finance Minister Hincks to the effect that the money was not to be deposited in the banks, because as that gentleman expressed it, there might be an understanding between the depositor and the banks, by which they would merely give their notes and have the amount passed to their credit, and that the Act was intended to prevent anything of this kind; yet in the face of that the money had been deposited in the banks and all we had to show was the certificate of the Receiver General. Under these circumstances, suspicion might be entertained that this charter was procured under false pretences, and that the contract was not really a contract. To settle that matter a committee should be appointed, and he believed it was very important it should be settled before the money was asked for in England. He urged that we should profit by the experience of the past and proceed very carefully in a matter of such concern as the present. He referred to the manner in which the Grand Trunk scheme had first been placed in the English money market. Hon. gentlemen would recollect the celebrated prospectus sent over there to induce capitalists to invest their money in that undertaking. He next noticed the estimate of cost of the Pacific Railway given by the Senator from Toronto (Mr. Smith), and showed that if it was correct the subsidy granted the company was a free gift to the friends or partisans of the Government. He argued that, notwithstanding the enormous grants to the company, the Government would have very little control over the undertaking. He glanced at an enquiry which had taken place in England in 1844 under the Presidency of Mr. Gladstone. On that occasion all the leading railway men of England were examined,

and a report was prepared, which was agreed to both by Mr. Gladstone and Sir Robert Peel, setting forth the growing and dangerous power exercised by these large railway corporations. Yet here, in this country, we were placing enormous power in the hands of a company without any real check upon it, or any sufficient guarantee in the interest of the protection of the country. The manner in which the charter was granted was also very extraordinary. The time chosen was shortly after the general election and immediately before the opening of Parliament. He held it was the duty of the Government to have consulted the representatives of the people, because, without any reference to Parliament, without any surveys of the route or reliable information to go upon, the Ministers had awarded the contract to certain parties, some of whose names had been signed by persons who had no authority to do it. The Government had been asked to lay before the House the power of attorney under which the Premier signed for two of the Company. The Secretary of the Company, in reply, evaded the question, and in effect set at defiance the authority of Parliament. He acknowledged his responsibility to the Directors, and merely said he would lay the matter before them. In other words, he would give information to the Directors but not to Parliament.

Hon. Mr. ALKINS stated that the secretary assigned the reasons for not giving the information. He stated that the powers of attorney used by the gentleman referred to having been given before he was appointed Secretary, he could not answer the question.

Hon. Mr. BUREAU went on to say that supposing a dispute arose between the Government and the company, and no power of attorney could be shown for affixing these signatures, the very foundation of the contract would be called in question, because it depended on the legality of the signatures. He argued that in so grave a matter all doubts should be set at rest, which was proper work for a Committee. If it turned out the charter was illegal the country would be held responsible. He thought a committee would aid the Government in setting matters right at once, because it could not be supposed that the capitalists in England would invest their money in the enterprise so long as any doubt remained as to its legality, or that of the charter. If capitalists were induced by representations from this side to invest their money in this scheme, and they should be deceived, the contract not being valid,

then the country would be called upon to make new sacrifices as in connection with similar undertakings in the past. (Cheers.)

Hon. Mr. SMITH said it did not matter whether the power of attorney had been granted or not, those gentlemen who were absent subsequently subscribed their names, thereby endorsing what had been done; besides these persons were not held individually responsible, but the whole of them were responsible collectively.

Hon. Mr. MACDONALD (Victoria) said, —I listened with great pleasure to the glowing account given by the honorable gentleman from Montreal (Mr. Bureau) of the enormous profits which he anticipates the Canada Pacific Railway Company are going to make. Well, let us get a good railway, and they are perfectly welcome to the profits. But the honorable gentleman made one remark to which I take exception, viz.: —“That the charter, on the face of it was a gift to a partizan.” Hon. gentlemen have been disclaiming making charges, and if this is not a charge, I don't know what it is. This has been a fertile season in charges and accusations, and I wonder what gun will be fired next. Or is this the “last straw which was intended to break the camel's back?” The resolution before us has grown out of a suppressed debate on the resolution moved by the hon. gentleman from Toronto, and it is natural to suppose that had that debate proceeded, the subject of the Pacific Railway would have been ventilated, and that the present resolution would not have been brought forward; and now that the hon. mover has expressed his views, I presume he has attained his object, and that perhaps he will withdraw his resolutions. I am perfectly willing to concede to hon. members of the Opposition every desire to promote the interests of the country. Yet I cannot get myself to believe that no other feeling actuates their movements on this occasion, I take it that all this means men and not measures, and that there is something hidden under all this anxiety for the public welfare.

Hon. Mr. MACPHERSON—Oh!

Hon. Mr. MACDONALD—I do not include the hon. gentleman from Toronto in these last remarks. He had a grievance and sought shelter under the wings of the Opposition. I presume it is only for a short time. The hon. gentleman looks out of his element, and I dare say he will come to his senses ere long. (A laugh.) The hon. gentleman from Grandville expressed surprise that he and his party

should be always accused of being opposed to the Government. The assumed innocence of the hon. gentleman is very pretty; but I came here a stranger, a short time ago, and have watched matters, and I have not only seen the most trifling things opposed, but everything in fact brought forward by the Government, and I think there is good ground for charging hon. members with frivolous opposition. The hon. gentleman from Grandville wished to know the reason for the present resolution being considered a vote of want of confidence. I think it so, because I cannot separate it from the resolutions moved by the hon. gentleman from Toronto, which condemned all that the Government had done in the matter of the Pacific Railway. The framers of the Canada Pacific Bill showed a great deal of discretion and a good knowledge of human nature. They evidently foresaw such a difficulty as that which took place, namely: the failure of the two companies to unite, and the Government fell back on the powers reserved in the Act, and chartered a new company, and without this power the Government would have been in a helpless condition. After the vote given here a short time ago on the Pacific Railway, the hon. gentleman must feel convinced that the House is not only satisfied, but perfectly satisfied with the action of the Government in this matter; and it is not likely that a committee of this kind will be granted. This House would be stultifying itself. Parliament purposely conferred great powers on the Government, and these powers have not been violated, the confidence reposed in the present administration by the country has not been misplaced. Had the charter been given to either company, without asking them to amalgamate, or after they failed to amalgamate, then the Government might have been open to a charge of partiality. It is a matter of regret that some hon. gentlemen should deem it their duty to place themselves in antagonism to this railway scheme, for it is an undertaking which requires an undivided support. I am happy to say that this question has, to a very great extent, lost its sectional, or British Columbian aspect, and assumed a national character. In all parts of this wide country the Canada Pacific Railway is written about, and talked about, and looked forward to as a necessity for the settlement and development of the Dominion; and this is the chief reason for concentration of strength and unity of action. Is this committee asked for to

watch American influence, and to guard against American capital? It should rather encourage capital, no matter what country it comes from. For my own part, I hope that American money will help to build the road; but it does not follow at all that Americans should have the controlling power for all that. Hon. gentlemen need have no fear of foreign influence. Reasons were given in this House a few days ago for the two companies, incorporated last session, not amalgamating, which were just the reasons why they should have done so. If the Interoceanic Company wished, as it alleges, to see the Pacific Road purely Canadian, its duty would have been to have had a voice in the management; its duty would have been to have joined the Canada Pacific Company, thereby creating one strong Canadian company, whose power and influence would have swamped all foreign influence. If it were desirable to keep out American capital, amalgamation of the companies would have been the most effectual way of doing so. But instead of taking this reasonable and business-like view of the matter, the Interoceanic Company indulges in charges and accusations affecting the credit, responsibility and standing of the members of the other company—charges which are highly unbecoming, and uncalled for. There is nothing in this charter which requires watching or reporting on from time to time. The company is not going to retard the progress of the country or withhold its land grants from settlement. They will be naturally anxious to get people into the country; and looking at the company as an immigration society only, forced to use every endeavor to colonize its large tracts of land, it must result in great good to the country. Neither will there be any danger in the company borrowing money on these lands. What is their value now? Nothing at all; and unless converted into a security of this kind, and made accessible by railway, they will remain valueless for ages. Every care is to be taken by the Government that the interest on bonds is to be paid, before the company can deal with the proceeds of land sales or the money subsidy. And not only the interest but the bonds themselves are to be paid out of such proceeds. 2½ dollars may appear a high figure for the land, but some of it may be worth much more, and it would be a fair average. Under this grant the company may get mineral land worth \$10,000 an acre, and perhaps much more, in our Province of British Columbia. Some hon gentlemen are under the impression that this charter is a thing which can be broken through at

will. Is it possible that Government could commit itself to such a transaction, after months of consideration? Is it likely that the Government of this country, composed of men of experience and ability, having the interests of the country at stake, having the credit of the country at heart, and having their own reputation to guard also, would, without some very good reason, think of abrogating a charter like this? If contracts based on Acts of Parliament, can be set aside at pleasure, good-bye to all business. A resolution of the House of Commons and the Pacific Railway bill, distinctly state "That the whole of the work shall be done by private parties, and not by the Dominion Government." But if, through some unforeseen cause, the company should fail in borrowing the money required, in England, it will be time enough for the Government then to abrogate the charter, and take steps to build the road themselves, as proposed by some honorable members. I must here express my regret that the Interoceanic and Canada Pacific Companies did not unite and form one strong Canadian Company. I am sure that there was field enough for both, and land enough given for both Companies. (Cheers)

Hon. Mr. RESSOR said he had long been in favor of the Pacific Railway, and he had confidence that that great work would ultimately be completed, but at the same time he was not one of those who had such blind confidence in the Government as to be willing to place the functions of the Senate entirely in their hands. He maintained that in a matter involving such an enormous expenditure, the Senate should understand fully the nature and character of the negotiations that had been carried on. What were they there for? Was it simply to bow in humble submission to what the Government choose to suggest? According to the remarks of some hon. gentlemen, they were unpatriotic if they did not submit entirely to the will of the Government. He had entirely different views of the duties and functions of the Senate. This motion had been declared one of want of confidence. Even if it were carried, it would not affect the position of the Government in the least. This objection, therefore, to granting a committee was not valid. There was no reason why they should not have means of obtaining full information respecting all matters connected with so vast an undertaking as the Pacific Railway, involving, as it did, 50,000,000 acres of our finest

lands, and \$30 000,000 in money. The members of the Government were only human after all, and, if they had made mistakes in connection with this charter, it was of the utmost importance that they should be rectified at the earliest possible moment. The charter had been declared to be of a suspicious character, and it was of great importance that it should be free from suspicion. If the charter was compared with the statutes it would be seen that they were inconsistent. He would refer to the clause in the charter which provides "That the lands to be granted in aid of the main line of railway from out the lands of the Dominion; and the lands to be granted in aid of the said branches, shall consist of such land as shall be found east of the Rocky Mountains, between parallels forty-nine and fifty-seven of north latitude, and the company shall not be bound to receive any lands which are not of the fair average quality of the land in the sections of the country best adapted for settlement, lying between these limits." He maintained that there was no authority in the statute for the Government to grant such privileges to the Company. The great mistake which the Government had made was at first, when they pledged the country to complete the road within ten years. That provision in the terms with British Columbia was quite unnecessary and was not even asked for. Far better it would have been in the interests of all the provinces, that the Government should undertake no work that would damage the credit of this country. He contended that the proper course would be to build the road from Lake Superior to Fort Garry, and then extend it west and east as rapidly as the means of the country would justify, and the demands of settlement required. Then we would not have assumed such grave responsibilities, and would have opened up communication with the west as fast as it was needed. They all desired to see the road built, but the only way it could be built was step by step, constructing to those points first which was most needed. He considered the Senate had not been properly treated, in that the Chief Engineer's report on the route of this road had been withheld from them. Report had it that a good deal had been done in the way of surveying the route, but the House had no information on the subject. Why were they kept in ignorance on a matter of such vast importance? Were they so insignificant that they were not to be consulted on so important a subject, or was

their confidence in the Government of such a blind character that they did not desire to know anything, but were willing to leave all in the hands of the Government? He hoped the Government would reconsider their decision, and allow the motion to pass.

Hon. Mr. DICKEY said the House would agree with him that this question was well nigh exhausted. He did not rise for the purpose of prolonging the debate, quite the contrary. The motion was brought forward to enable gentlemen to speak who had not a chance before, and as the object of the motion was attained, he hoped the mover would be satisfied to withdraw it. [Hear, hear.] He [Mr. Dickey] had taken no part in either debate. Were we called on to discuss the question of the contract itself, there was much in it which he would require to have explained, but it was a mistake to suppose that this was the question before the House. He had listened attentively to the discussion, but had not heard a single fact brought forward to justify the motion for a committee of inquiry. The last speaker (Hon. Mr. Reesor) asked for a committee because there was a clause in the contract which he deemed illegal; another [Hon. Mr. Bureau] because the whole contract was contrary to the Pacific Railway Act, and was executed for hon. gentlemen without power of attorney, although, strange to say, these gentlemen had adopted it by paying their ten per cent; and another gentleman [Hon. Mr. Wilmot] because he was against the whole policy of building the Pacific Railway, although the Act on which the contract was based had received the deliberate sanction of Parliament. In this he was consistent certainly, but what had that to do with the question before the House? It was idle to talk of a committee to sit upon these objections to the contract itself, for here it was before their eyes, open for everyone to read, and it could be attacked by resolution as a whole or in any of its provisions. [Hear, hear.] Indeed this debate had occupied a wide field apart from the question itself. We had entered the golden gate at San Francisco, scaled the Sierra Nevada, traversed the great American desert, followed Sir Hugh Allan across the Atlantic to the London money market, returned by Minnesota and the fertile valley of the Saskatchewan, crossed the Rockies and found ourselves again landed on the Pacific slope. [Laughter.] The resolution in its terms asks for a committee to enquire "into all matters relating to the contract, prior and subsequent to its being signed." These matters occurring

previous and subsequent to the signing of the contract, not the contract itself or its provisions, are what we are asked to enquire into, and I submit to the hon. mover, who can correct me if I am wrong, that not a single fact has been alleged bearing upon the proposed object of the enquiry, no foundation has been laid, and no case made out as lawyers say. Before the commonest criminal can be put on his trial there must be an indictment specifying the charges. Here there is nothing alleged that is not already on the table before us, and the House is left in the dark as to what other matters are to be enquired into. The resolution proposed by the hon. member from Toronto (Hon. Mr. Macpherson) as well as that introduced in another place, had at least the merit of explicitness in specifying the charges against the Government. [Hear, hear.] A good deal of time had been taken up in criticizing the price of the lands fixed at the average of \$2.50 per acre. It was natural that the Government and the company should fix a rate, so as not to be undersold one by the other, but the 15th clause of the charter provides that the price shall be from time to time adjusted by agreement between the Government and the Company, according to the price that is found to be obtainable for such lands, without obstructing the settlement of the country." Now, suppose it was found that the lands would not bring the \$2.50 per acre, what would be the natural and inevitable result? Why, that the Government and the Company, alike animated by obvious self interest, would reduce the price. (Hear, hear). Before sitting down, he would say a word as to the attitude of the honorable member for Toronto (Hon. Mr. Macpherson), on this matter. Holding the personal relations that he did with that hon. gentleman it was to him a matter of sincere regret that he was not to be found in the front rank of this great undertaking, a position for which his long experience and high standing in that House and the country, eminently qualified him. He would like to have seen his hon. friend at the head of it, or working side by side with Sir Hugh Allan, but he would ask him, supposing he were now in Sir Hugh Allan's place, what would he think, while engaged in establishing a credit abroad to provide funds for this work, were Sir Hugh Allan or anybody else to attempt to paralyze his exertions by repeated attacks such as these we have had to break down a contract executed by the Government and hashed by the faith and honor of Parliament. (Applause.)

Hon. FRANK. SMITH said he made no charges against the hon. gentleman (Mr. Macpherson). He accused him simply of neglecting his duty as one of the Interoceanic Company. That hon. gentleman should have come to Ottawa and contributed to the formation of a new company. Four members of the new company had belonged to the Interoceanic, and he thought the President should have joined with his friends in supporting the new company. (Hear, hear.)

Senator MACPHERSON said it could scarcely be expected that he could allow the debate to close without saying a few words, inasmuch as a good deal of reference had been made to the resolutions which he had proposed the other day. He had listened attentively to the whole debate, and he had heard nothing to show that his resolutions were unsound. The replies had been directed against him personally, and no attempt had been made to controvert the resolutions themselves. He felt it was due to himself to say a few words in reference to the charge preferred against him by the hon. member from Toronto (Mr. Smith). That hon. gentleman had charged him with being influenced by feelings of disappointment, and with having deserted the Company of which he was head. In reply to that, he would refer to the memorandum of the Interoceanic Company addressed to the Government. By reference to the minutes, he found that the hon. gentleman was among the directors present. He would read an extract from that memorandum, and then he would leave it to the House to say if he was open to the charge made by the hon. gentleman: "No more suicidal policy could be pursued by the people of Canada than to allow their rivals to have such an interest in this national undertaking as would virtually transfer to them the ownership and control of 50,000,000 acres of Canadian territory, would invest them with the direction of the Immigration Policy, which must be inaugurated for the settlement of these lands, confer upon them the power to influence the construction and progress of the railway, and grant to them in perpetuity a monopoly of the traffic over the Canadian line." The memorandum he referred to further said,—"Your Committee firmly believe that amalgamation means the admission of this rival United States interest into the organization of the Canadian enterprise, and that once admitted and wielded for one object, it would speedily master the divided and weakened Canadian representation.

They consider that this danger far outweighs any possible advantage that could result from a union with Sir Hugh Allan and his associates. They are convinced that the public would shrink from committing themselves and their means to the undertaking, and they therefore respectfully recommend that the Board of Directors of this Company inform the Government that they cannot be parties to any amalgamation with the Canada Pacific Company, but are prepared forthwith to enter into arrangements on behalf of the Interoceanic Company for the construction and working of the Canadian Pacific Railway." After a discussion by the Board of the Interoceanic Company, the hon. gentleman (Mr. Smith), one of the directors, being present, the following resolution was adopted unanimously:—"That the report of the Executive Committee just read be approved and adopted, and that the President be requested to transmit a copy of the same to the Government, as setting forth the reasons of this Board for deciding against amalgamation with the Canada Pacific Railway Company." The memorandum was forwarded to the Government, and the Canada Pacific Company addressed a reply to the Government, to which the Executive of the Interoceanic Company rejoined. That rejoinder was not submitted to the whole Board, because it was only reaffirming the first memorandum, and it was not thought worth while to call the Directors together, especially as many of them resided at a distance, but to fortify himself and make sure that the Directors concurred in the rejoinder, he submitted it to as many of the Directors as were in Toronto, among them the honorable gentleman from Toronto (Mr. Smith), and they all heartily concurred in it. "The undersigned beg to say that they do not yield to any company or individual in the earnest desire to promote the earliest possible construction of the Pacific Railway compatible with its being a strictly Canadian and British enterprise, and the Canada Pacific Company cannot more sincerely than the undersigned desire to aid the Government in carrying out this great national undertaking. It would, however, be doing the Government poor service to agree to an amalgamation unless the Interoceanic Company believed that the amalgamated company would contribute a distinctively Canadian company of sufficient strength to carry the undertaking to a successful issue. The undersigned are of opinion that an amalgamation with the Canada Pacific Company would not lead to this result. They deem it their duty to state

to the Government that in their opinion the admitted negotiation of Sir Hugh Allan with gentlemen in the United States, resulting in an arrangement or understanding which it considered opposed to Canadian interests, and which the undersigned, from information in their possession and referred to above, have reason to believe is still substantially existing will continue to cause the Canadian people to view with suspicion and prevent their subscribing stock in any company in which Sir H. Allan and his associates appear controlling parties. The undersigned are of opinion that this feeling, instead of being confined to a limited circle, as the Committee of the Canada Pacific Company allege, will be found to influence the people of the whole Dominion." How, in face of that memorandum, to which the hon. gentleman was a party, he could expect him to come to Ottawa and endeavor to amalgamate with the Canada Pacific Company after the Interoceanic Company had declared against the amalgamation was more than he could understand. The House, knowing his past relations with the Government, could easily understand with what reluctance—he might even say pain—he felt it to be his duty to decline the urgent request of the Government to amalgamate with the other Company; but holding the views he did, he felt it his duty to the public to take the course he had taken. His reasons and the reasons of his colleagues for refusing amalgamation were, that they believed such amalgamation would not command the confidence of the people of this country. Had they been blind enough or selfish enough to have entered into such an arrangement, it could only have ended in certain failure. It had been said that had they amalgamated the Company would have been of a more representative character, but he felt sure that he could never have induced the people of Canada to take deep interest in the undertaking if they had associated with the gentlemen they had been pressed to associate with, and he would ask hon. gentlemen if the sequel had not proved the truth of that opinion. Had the Canadian people taken any interest in the undertaking? Everything went to show that they took no interest—that they had no confidence in it. It was with great difficulty that the Government could get a company together, and when they did get what they chose to designate a company, what was it really? A mere skeleton of a company, a sham of a company. To show that it was generally regarded as a sham, he need only refer to one fact. The first thing the company

did after it was formed was to invite tenders for shares in the stock at par. How many people had applied for the stock? An hon. gentleman had moved the other day for a list of applicants for the stock, but instead of a list being laid before the House of applicants from all the Provinces, which would show that the people had confidence in the company, they had only received a letter from the Secretary of the company, which he could only call an evasion, and he was obliged to add that the Secretary of State had done all he could to cloak that evasion. However, it was apparent that all the subscription that had been received was that of the thirteen original gentlemen. He desired to refrain from anything that would reflect upon any one of these gentlemen. Some of them were old friends of his, and gentlemen whose friendship he would not like to interrupt; but there were some matters connected with this Company which he felt it his duty to refer to. Take the gentleman in the Company representing Manitoba. He believed he was a gentleman of great respectability, and considered to be well to do in a worldly sense, but he was almost an octogenarian, and he had never seen a railway. Did any one believe that he, a prudent Scotchman, living away in Manitoba, would risk \$76,930 of his own money in the stock of this Company? Was that not evidence that the Company was a sham Company to that extent at any rate? And there were several others in a similar position. With respect to the deposits, there were two or three curious facts. A gentleman for whom he had great respect, Mr. Archibald, was represented to have deposited \$76,923, but strange to say, he had not deposited in any of the banks of his own Province, Nova Scotia, but had entrusted it to the Eastern Townships Bank. He believed that to be an exceedingly safe institution, but could it have been from considerations of security that the Government requested Mr. Archibald to take his deposit out of his own Province and place it in a Quebec bank? To say the least, it was a remarkable circumstance. Then a gentleman living in the eastern Townships had not placed his ten per cent. in the Eastern Township Bank at his own doors, but had placed it in another bank, whose headquarters were in Ontario. Then it would be seen that the gentleman who was chief engineer of the Company had changed his position to that of director. He had no thing to say against the efficiency and ability of that gentleman, either in one

capacity or the other, but he did think that he should not act in both capacities. The report of that engineer upon the route had been withheld from the House, and reports were afloat that he had formed an unfavorable opinion. ("Oh, oh," from Senator Carrall.) The hon. gentleman might cry "oh, oh," but perhaps he was one of those who thought that we only had to send to England to get money. He (Mr. Macpherson) held that those who went to England to raise money for this great undertaking should be able to submit facts and nothing but facts. Respecting the route of this road, if the engineer of this line in traversing the country, found what he believed to be unfavorable conditions, it was his duty to report the facts, and he (Mr. Macpherson) was sure he had reported, and what he complained of was that the report had not been laid before Parliament. The motives that induced the Inter-oceanic Company to decline amalgamation, he had already stated to be a conviction that success would not attend the amalgamation. His conviction had been impugned by some honorable members, but he would say before this House, that he was perfectly willing that every step he had taken and every thought he had conceived in this matter should be submitted to the light of day. It was the greatest compliment that could be paid to the arguments and facts he had submitted to the House the other evening, that instead of attempting to answer them, his motives had been impugned. He thought there were very strong reasons for the appointment of a committee. There was a vast field of enquiry, and an enquiry would be made sooner or later, and the sooner it was made the better for the country. The Government, in framing the charter which they had granted, forgot the pledges they gave to Parliament last session. They forgot the charter should not be more favorable to the company than the Act of last session. He repeated the charge which he had made the other night, that the charter was more favorable than the Act in several particulars. For instance, the Act provided that the capital of the company should be ten millions, while the charter had reduced it to one million—that was the whole capital of the company which had undertaken this vast enterprise. Was that not a matter to be enquired into? Another subject of enquiry was the excessive value placed upon the lands. That was a departure from this Act. Was it not an excessive price, a fictitious price? Was it not calculated to deceive the capitalists of England? And should not all

these matters be enquired into by the committee? The price put upon the lands would check immigration, and would give the Northern Pacific Company's lands an advantage over ours. Then, again, the trustees under the charter had been reduced to the character of mere clerks who could be dismissed without notice by the directors. It was true the Government had the power of re-appointing one trustee, but the directors might dismiss him again next day. Then the charter provided that the Trustees should be subject to the order of the directors. Was that a proper tribunal to settle disputes between the Government and the company? All these were matters which it would be proper for a committee to enquire into. Again, there was nothing mentioned in the articles of agreement with the company that they should work the railway after it was built. There was another point which had not yet been referred to, and that was that the Government had not reserved the right to acquire the road. He held it was imprudent to omit that provision. In all railway charters granted by the Canadian Legislature, when public aid was given, this right had been reserved to the Government, on payment to the shareholders of the cost of the road, with interest. Another departure from the Act was the exclusion of members of Parliament from the company. This, he said, was a mistake, and the result would be that the members of Parliament would devise means to connect themselves with the undertaking if they saw fit. It was very much better to have them in the company openly and under direct responsibility than to have them there unseen and irresponsible. It was true the Opposition in another place had moved a resolution to exclude members of Parliament, but, it was rejected by a large majority, and he did not know why the Government had subsequently acted upon that motion, but if the members of Parliament were to be excluded there should be means of satisfying the country that they were really not connected with the undertaking. He had no doubt this motion would be voted down if it were pressed, and it was to be deplored that this House should appear to take so little interest in this great undertaking, involving the future prosperity and welfare of this country. He thought it would be far better if this House should act as a check and not as a cloak to the Government. If this House continued to act in this way it would not be for the good of the country nor the good

of the Government nor for the credit of the Senate. At this late hour he would not detain the House longer. He had intended to have said something more with reference to the remarks directed against himself personally, but probably he had already said enough upon that point.

Hon. Mr. McLELAN considered this question before the House one of the greatest importance. Looking at the resolution itself, its importance depended on the manner in which we considered it. If regarded merely as a motion for an enquiry as to the powers of attorney spoken of, it was of very little consequence. Now, if the mover and those who supported this resolution, thought that the legislation on this question was so insecure that the Senate and the Commons should appoint two committees to enquire into it, an effect might thereby be produced on the London money market, in striking down the hands of the men endeavoring to carry this railway project into execution. Viewed in this light, this was one of the most momentous questions ever under the consideration of this Parliament. Gentlemen knew that when a scheme was launched upon the money market and failed it was regarded as dead forever. If gentlemen in this and the other House should defeat this attempt to raise money for the railway, his hopes of ever seeing it constructed by a company would be dissipated. Hon. gentlemen had spoken of their desire to build this road. This was the policy adopted years ago, when the North-west Territory was purchased. They must have known there could be no bond of union between these Provinces without the means of easy intercommunication. Why, gentlemen, there could be no real union between them, commercially, socially, politically, without this means of intercourse. There might be a union by natural means, but if it did not exist, a bond could only be created by artificial means. Look at the experience furnished by the last American war. The States, bound together by railroads or natural means, took one side or the other, just as one or the other existed or preponderated. The States, joined by the great lines of railway running from the east to the west, generally took one side in sympathy and action. Therefore, it was a matter of great moment, considering the unanimity of the people, that the confederation should extend from the Atlantic to the Pacific, both on sentimental and material grounds. The mover of this resolution told us the fair fame of the Dominion was



pledged to the construction of this railway. It was so. He thought four times, the Act admitting British Columbia into the Union, affirmed the proposition that there should be a road built. In the original charter of the Inter-oceanic Company, it was again affirmed, as well as in the charter of the Pacific Company, and in the general Act conferring upon the Government the power to form a company. These several Acts were passed during the last Parliament, and were before the people at the last general elections, and the Government which carried them through Parliament were sustained at the polls. Consequently the Parliament and people of Canada were pledged to the construction of this road. The hon member from Montreal (Mr. Bureau) objected that this charter was granted immediately after the elections. That was the right time to grant it, the people having sustained the Government.

Hon. Mr. LEFELLIER DE ST. JUST—They lost in Ontario and Quebec.

Hon. Mr. McLELAND—But the general result was in favor of the Government. The hon. gentleman opposite admitted that the faith and fair fame of the country were pledged to the construction of the road. But how did he want it done? Every proposition made by the Government he opposed. He says we must build the road, and then brings a resolution that would have no other effect than to destroy the faith of the English money lender in the undertaking and prevent the success of the Canadian gentlemen in London. The hon. gentleman (Mr. Christie) had a strange way of maintaining the faith of the country. He reminded one of the Irishman who asserted the fame of Ireland and its fairs should be maintained, and then told his companions—when you go to the fair, wherever you see a head, hit it. (Laughter.) The hon. gentleman was similarly acting in respect to Canadian faith, and, he was sorry to say, but too well assisted in his evil work. He ran into strange inconsistencies. In one breath he spoke of the favorable terms and great advantages given the Company, and in the next piled up figures to show how enormously expensive the work must be. He found fault with the Canadian charter, while lost in admiration of the charters granted the American companies. One would suppose the natural inference to be that the Americans from their large experience should be a great assistance to us in the building of our road; but he told us he could not think of their having any part in the undertaking. The hon. gentleman from British Columbia said he

did not care where the money came from. He (Mr. McLellan) did not think either we should lay much stress on the fact that the money should be British. He also thought it was of little consequence where it came from, so that the railway was a Canadian work, managed and controlled in the interests of Canada. (Hear, hear). We had many Americans among us, who made very good citizens. Every fifty-fourth man in this Dominion, was born in the United States. He conceived these were strong reasons why we should open up our territories, in order to furnish additional inducements to people on the other side, to settle among us. If we referred to the census of the United States, we should be surprised to find how many people moved from the States in which they were born. With regard to Massachusetts, 150,000 persons from there settled in other States; New Hampshire, 120,000; Vermont, 177,000; New Jersey, 148,000; Kentucky, 104,000; New York, 1,000,000; California, 11,000; Illinois, 289,000. These figures showed the strong disposition of people to seek new homes. No doubt if our country was opened up, we should receive large accessions from the United States. We also needed the North West for new homes for our own people, many of whom, in search of them, crossed to the States. In Illinois there were 33,000 people who were born in Canada, in Minnesota, 16,000; in Wisconsin, 44,000; in Iowa, 13,000; in Michigan, 89,000. He thought these facts should prove the importance of our aspiring to be a nation, and to the establishment of suitable means of access to our fertile North West country. He agreed with the remarks of the honorable gentleman from Toronto (Mr. Smith) when he charged the honorable member (Mr. Macpherson) with dereliction of duty in not helping to form a new company, to keep this road from American influence. Had he attended the Conference at Ottawa he would have learned there was a change made in the character of the stockholders. There was now a guarantee that the stock could not be transferred for six years, which was not embraced in the charter of the Inter-oceanic Company. Complaint was made that the Government had not offered this work to competition. The effect of competition would have been to give us half a dozen instead of two contending companies. The leading men of the whole Dominion would have been divided into little knots, all in rivalry, and the very desirable object of union and harmony would have been frustrated (Hear, hear). Great objection was also made to

the price attached to the railway lands. Any company undertaking to construct this road must largely depend upon the sale of the lands. Suppose a company had fifty million acres and the Government an equal amount. If the Government gave free homesteads or put a mere nominal price on this land, that held by the company would be worthless, for the raising of money. As to this price of \$2.50 an acre being excessive the result of running a railroad into any tract of country had always been to increase enormously the value of the land alongside of it. The cost of transporting the produce of one acre fifty miles without a railroad, was \$12, and by rail, \$4. There was, therefore, a saving of \$8 on every acre to the farmer. So to run a railway alongside a man's farm, raised the value of that land at least \$100 an acre. By referring to the sales of land by the Union Pacific and other American railways, hon. gentlemen would see that the Union Pacific sold, in Oct. 1872, 20,657 acres for \$99,000, or an average of \$4.50 an acre. In July \$640,000 was realized by sales, giving an average of over \$4.25 an acre. So this company were selling at a very much larger price than that fixed for our lands. We might, therefore, conclude that \$2.50 was not excessive. We could not help feeling surprise at a company claiming to be the strongest ever organized in the Dominion, declining to associate with the other company because they found they would be overruled by it, the weaker of the two, as alleged. If the Inter-oceanic was as strong as was asserted, and if the hon. gentleman from Toronto (Mr. Macpherson) was wholly influenced by those patriotic motives which, he pretended, guided his company's course, he should have amalgamated at once; and being the stronger, he could have controlled the other, and preserved both from American influence or supremacy. He (Mr. McLellan) hoped this resolution would be voted down, and the information flashed across the ocean that this House was not disposed to meddle with the legislation created last year, so that the hands of the Pacific Railway gentlemen in England might be strengthened, and their success assured. (Cheers.)

The House then divided on the motion, which was lost.—Contents, 15; Non-contents, 37.

The House then adjourned.

THURSDAY, May, 1

The SPEAKER took the chair at 3 p.m.  
On motion of the Honorable Mr. CAMP

BELL, seconded by the Honorable Mr. Aikins, it was

*Resolved*, That the pay list of the officers and servants of the Senate, and the papers which accompanied it, presented to this House by the Honorable Mr. Campbell, on Friday the seventh day of March last, be referred to the Select Committee appointed to examine and report upon the contingent accounts of the Senate for the present session.

The Honorable Mr. CAMPBELL introduced a bill intitled: "An Act to amend the Acts respecting the inspection of steamboats."

#### OATHS BILL.

Senator BUREAU said that when he had asked the Government yesterday whether they had advised His Excellency to give the Royal assent to the Bill respecting the examination of witnesses before Committees of Parliament, the Hon. Postmaster General had replied that this question was designed to elicit the secrets of the Privy Council, and to infringe on the liberties of the Crown. He (the speaker) had in his hand the authority on the subject, which said that the Government were responsible to Parliament for the advice given to the Crown. It was also stated that the Crown could authorize the Ministry to give such information, so that his motion of yesterday was quite in order, and he begged to repeat the same question to-day.

Senator CAMPBELL said he understood yesterday that the hon. gentleman's question was to elicit from the Government what advice they intended to give the Crown.

Senator BUREAU said that was not the effect of his question of yesterday, but what advice they had given—that the House had a right to know.

Senator CAMPBELL said the hon. gentleman should have given notice of his question, so that he might have had an opportunity of consulting his colleagues in order to ascertain if they were at liberty to give the information asked for.

#### MISSING THE MAIL.

Hon. Mr. PRICE asked whether the Allan mail steamers are not obliged to remain in port till all the Canadian mails made up for them are on board? And how it happened that the English mails closed at Quebec on the 21st and 28th March last, *via* Portland, were not waited for by the *Prussian*, and the following steamer?

Hon. Mr. PRICE complained that owing to the failure of the mails to reach the steamers many merchants in Quebec lost

considerably, as exchange was sold in that city, subsequently transmitted to Montreal and the West, and sent to London, England, before notification of these miscarriages reached it. Hence explanations and cable despatches costing a good deal of money. Quebec was not considerably treated in the delivery of mails in Winter, either, and the Government should pay a little more regard to its rights and claims.

Hon. Mr. CAMPBELL said he regretted the miscarriages in question, and agreed with the hon. gentleman that the people of Quebec should have been notified of them. The mails were subsequently despatched by the first Boston and New York steamers. It would not be desirable in the interest of the whole country to delay the despatch of the steamer from Portland for any considerable time on account of the Quebec mails, though a few hours detention might be proper enough. However hereafter in all cases like the present the Department would at once inform the citizens of Quebec of any such failure or mischance.

Hon. Mr. PRICE—How long should the ocean steamers wait for the mails in case of delay?

Hon. Mr. CAMPBELL—Not longer than 24 hours.

Hon. Mr. PRICE—Then why did they not wait in these cases?

Hon. Mr. CAMPBELL said he did not know.

#### THIRD READINGS.

The following bills were passed through third readings:—

Canada Guarantee Company's Amendment Bill.

Quebec Trinity House Increased Powers Bill.

Offences against the Person Amendment Bill

Steamboat Inspection in British Columbia Bill.

The Dominion Board of Trade Bill.

#### SECOND READINGS.

The following Bills passed second readings without discussion:—

Customs Duties in Manitoba North-West Territories Bill.

Penitentiary Law Amendment Bill.

Harbour Masters for Nova Scotia and New Brunswick Bill.

Pictou Bank Incorporation Bill.

Senator McMASTER moved the second reading of the bill to incorporate the Goldsmiths Company of Canada, from the House of Commons.

Senator RYAN thought that the House was going too far in the matter of incorporating limited liability companies, and

that the tendency of the Bill would be to interfere with private industry.

Senator CAMPBELL took the same ground.

Senator FERRIER and Senator DICKEY argued from the standpoint of the Hon. Mr. Kyan and thought this Company might have been incorporated under the Joint Stock Companies Incorporation act. He thought that the House would have to take a stand in the matter of granting charters to limited liability companies, in which direction they were going too far. He was in favor of full or double liability for such companies as in Nova Scotia. It was for the House to say whether the question was to be decided now or at another session.

Senator McMASTER thought the objections of some of the hon gentlemen would have come with a better grace if a number of Bills of a similar nature had not been passed during the session. He would ask that the Bill be laid over till to-morrow, so that he could consult the promoters of it, and see if they would consent to withdraw it.

The reading was deferred till to-morrow, and, after several Bills had been read a first time, the House adjourned.

FRIDAY, May 2.

The SPEAKER took the chair at three o'clock.

#### CREDIT FONCIER.

After routine,

On motion of the Hon. Mr. CAMPBELL, a bill respecting the Credit Foncier of Lower Canada was read a third time.

#### CHAUDIÈRE ISLAND.

Hon. Mr. CAMPBELL introduced a bill respecting a survey of the Chaudiere Island, Ottawa.

#### PRIVATE BILLS.

Hon. Mr. CAMPBELL moved that the time for receiving private bills and reports of Committees thereon, be extended till the 10th of May. Carried.

#### THIRD READINGS.

On motion of the Hon. Mr. AIKENS the Banks and Banking law amendment bill was read a third time and passed.

On motion of the Hon. Mr. CAMPBELL, the Montreal Trinity House and Harbour Commissioners' bill was read a third time, and sent to the House of Commons for concurrence.

On motion of Hon. Mr. AIKENS, the bill respecting Customs' duties in Manito-

ba and the North West Territories was read a third time and passed.

On motion of the Hon. Mr. CAMPBELL, the bill to amend the Penitentiary law was read a third time.

On motion of the Hon. Mr. CAMPBELL, the bill for the appointment of Harbour Masters for Nova Scotia and New Brunswick, was read a third time and passed.

#### GOLDSMITHS' COMPANY OF CANADA.

Hon. Mr. McMASTER moved the second reading of the Bill to incorporate the Goldsmiths' Company of Canada, and the discussion on the principle involved was resumed.

Hon. Mr. MACPHERSON considered that the principle of the Bill was not just towards traders who were compelled to do business on full liability. He thought there was an objectionable principle involved in this bill, and would not oppose its going through the second reading on the understanding that its principles were to be discussed in Committee.

Hon. Mr. RYAN held the same view, and contended that the company was not intended to be a manufacturing company.

Hon. Mr. BUREAU suggested that to all similar Acts of incorporation the word "limited" should be affixed in order that the public should be in a position to know the footing on which the company stood, as was the case in England.

Hon. Mr. CAMPBELL thought if it were a manufacturing company it ought to be incorporated under the Joint Stock Companies Act.

Hon. Mr. BOYFORD agreed with the view of Hon. Mr. Macpherson.

Hon. Messrs. BUREAU, WILMOT, McLELAN and CHRISTIE held that if the incorporation of such companies by the Dominion Parliament were to be carried out a rule ought not to be specially applied to this individual instance.

Hon. Mr. McMASTER was willing to accept the suggestion of Hon. Mr. Macpherson; and the bill was read a second time and referred to the Committee of Banking and Commerce.

#### ORDER ON PASSENGER STEAMERS.

Hon. Mr. CAMPBELL moved the second reading of the bill to secure order on passenger steamboats. He explained that the object of the bill was to give powers to commanders of steamers to preserve order and to re-train parties guilty of drunkenness and disorderly conduct, and if necessary to detain them. It was intended to give the captains of steamboats

similar powers to those exercised by captains of ocean steamships, though not to such a large extent.

The bill was read a second time.

Hon. Mr. CAMPBELL moved the second reading of the bill for the extradition of criminals. He explained that this bill was intended to extend the existing Act to other countries.

The bill was read a second time.

#### SECOND READINGS.

The following bills were also read a second time and referred to Committee:

*Citizen Printing and Publishing Company bill.*

*Maritime Warehousing and Dock Company bill.*

*Erie and Niagara Railway Company amendment bill.*

*Patent Law amendment Bill.*

*Canada and Detroit River Bridge bill.*

#### BILLS FROM THE HOUSE OF COMMONS.

A number of bills from the House of Commons were received and read a first time.

#### NOTICE OF MOTION.

Hon. Mr. WILMOT gave notice that on Monday next he would ask if it was the intention of the Government to make an appropriation of money for the purpose of deepening the channel of the River St. John at Oromocto shoals, in accordance with the recommendation of the report of H. G. Perley, C. E., to the Department of Public Works. Also if it was the intention of the Government to modify the laws imposing postage on newspapers, so as to permit those papers published weekly to be sent to all places in the counties in which they were published free of charge.

Hon. Mr. CAMPBELL moved that when the House adjourn to-day it stand adjourned till to-morrow at three o'clock. He explained that it was not intended to meet for the despatch of business, but that members might be present at the giving of the Royal assent to certain bills passed by the House. The Orders of the Day would stand for Monday.

The motion was carried.

The House then adjourned.

MONDAY, May 5.

The SPEAKER took the chair at three o'clock.

After routine.

Hon. Mr. WILMOT asked whether it is the intention of the Government to modify

fy the law imposing postage on newspapers so as to permit those published weekly to be sent throughout the Counties in which they are published free of postage?

Hon. Mr. CAMPBELL replied it was not the intention of the Government to do so.

#### THIRD READINGS.

The following Bills were read a third time:

Bill from the Commons - North Star Silver Mining Co.—Hon. Mr. VIDAL.

Bill from Commons Patent Law Amendment Bill—Hon. Mr. AIKINS.

#### SEAMEN'S DESERTION BILL.

Hon. Mr. CAMPBELL moved the second reading of the Seamen's Desertion Preventive Laws Amendment Bill. He explained its purpose was to take away the right of appeal in cases of conviction, and to render the judgment of two justices final. At present crimps evaded the law by obtaining appeals, covering periods of considerable length, within which the captains complaining, had to take their vessels out of port.

In reply to Hon. Mr. DICKEY, Hon. Mr. CAMPBELL said proceedings to stay sentence could not be taken by writ of *certiorari*. Carried.

#### CALLING OUT THE MILITIA.

Hon. Mr. CAMPBELL moved the second reading of the Militia and Defence Law Amendment Bill. He said the bill would enable the active militia or a portion of it in any district to be called out in aid of the civil power, in cases of riot or disturbance of the peace, upon requisition of the Warden, Mayor or other head of a municipality, or, in their absence, upon requisition of two Magistrates. The militia would be paid, the officers and men to act as special constables. The expense to be borne by the municipality. Carried.

Bill referred to committee and reported without amendment.

On motion of Hon. Mr. CAMPBELL the House went into committee on the bill respecting the securing of order on passenger steamers. Reported without amendment.

Hon. Mr. AIKINS moved the second reading of the bill to remove certain doubts respecting Dominion lands. He said owing to looseness of phraseology of a portion of the bill relating to land grants, to the half breeds of Manitoba, some doubts existed as to its proper interpretation, and as to the parties who should participate in those grants. An order in Council was passed under which all the half-breeds were to get their

share, and the object of the Bill was to secure the children of the half-breeds their rights in the matter. Carried.

#### EXTRADITION OF CRIMINALS.

Hon. Mr. CAMPBELL moved the House into Committee of the Whole on the Bill making further provision for the extradition of criminals. Bill reported without amendment and read a third time.

On motion of Hon. Mr. DICKSON, the Bill respecting Date's Patent Steel Co. was read a second time.

Hon. Mr. DICKSON moved the second reading of the Bill respecting the River St. Clair Railway Bridge and Tunnel. Carried.

#### PROTECTION TO NAVIGABLE STREAMS.

Hon. Mr. MACPHERSON moved the second reading of the Bill from the Commons—Navigable Streams and Rivers Protection Bill. He explained its purpose, namely, to prevent the owners of saw mills from throwing their refuse into navigable streams, to the injury of navigation. He believed this Bill had received the assent of all parties, including gentlemen who owned saw mills themselves.

Hon. Mr. FLINT commented upon the importance of remedying the evils arising from the choking up of our rivers with slabs, edgings and saw dust even. He described the injury to the river and harbor at Belleville from this cause, urging that saw-dust was harder to remove than gravel or dirt. Outside that harbor, where there used to be fourteen feet of water, there is now twelve feet of saw-dust. Bars were formed, especially in bays and still water, detrimental to navigation. Thus freights were enhanced. The Ottawa people would ultimately suffer, as those on the Bay of Quinte did, if this practice of depositing saw dust continued.

Hon. Mr. KAULBACK pointed out the injury to the fishing interest, as regards Nova Scotia rivers, produced by their pollution in this way. Salmon and other fish had been driven away by sawdust.

Hon. Mr. SKEAD said the hon. gentleman (Mr. Flint) might be correct as to Belleville, but his apprehensions in regard to the Ottawa, were groundless. No injury had yet been occasioned by saw dust itself, though where it had been confined and consolidated by slabs and edgings, it had, doubtless, proved mischievous. Hereafter only saw dust would be allowed to be cast into the river. So harmless was it that, to this day, it had not been seen at the Grenville Locks where, if any place, it might be

looked for. It accumulated, no doubt, in some of the bays, but was always carried off scattered and sent to sea by the spring freshets. The mill owners on the Chaudiere were as much interested as any person in Belleville or elsewhere could be in the protection of the Ottawa. The consumption of sawdust at the Chaudiere mills would not be possible, at present, without great loss to their owners, already pressed for space. Fires in adjacent property and threatening the city also, might be the result of burning sawdust without sufficient space and proper appliances.

After some further discussion, in which Hon. Messrs. MACPHERSON, FLINT and SKEAD participated.

Hon. Mr. WILMOT described the injury New Brunswick rivers had sustained from sawdust, in their partial filling up and otherwise, including the poisoning of the fish. The Province was obliged to legislate in a manner to compel the mill owners to burn their sawdust, which became useful as fuel. He hoped the Bill's indulgence in the matter of sawdust would not be extended to New Brunswick, which had already suffered too much from this nuisance.

The Bill was read a second time.

#### SECOND READINGS.

Hon. Mr. BOTSFORD moved the second reading of the Maritime Railway Equipment Company Bill.

Hon. Mr. CAMPBELL called attention to the 6th clause of the Bill, with respect to the rank the securities granted by the Company should hold, and how far they should form a lien upon the property, and as to the rights of priority. The Private Bills Committee should carefully scrutinize any such clauses of Bills affecting the registry laws of the different Provinces and their legislative rights in such matters. Our action here might produce confusion in the titles to real estate and in regard to legislation.

Hon. Mr. BOTSFORD said the remarks of the hon. Postmaster General were quite correct. The Private Bills Committee ought to consider them.

The Bill was read a second time.

On the Pictou Harbor Bill, N. S., Hon. Mr. CAMPBELL explained its provisions. Their design was to place this port in the same position as others as regards harbor commissioners, a harbor master and the levying of tonnage dues.

Hon. Mr. WARK urged the importance of having harbour authorities acquainted with the proper positions for lights and buoys, upon which the safety of the ship-

ping largely depended. Commissioners should be appointed for Richibucto also. He would like time to consult with the member for this place in another House.

Hon. Mr. CAMPBELL promised the hon gentleman should have every opportunity, and that he would consult the Minister of Marine as to the suggestion made.

Hon Mr. ARCHIBALD stated the hon. Minister of Marine said other harbours could have the benefits of this bill on application; Sydney was mentioned as an instance.

Bill read a second time.

On the order for the King's County Board of Trade Incorporation Bill—Hon. Mr. BOTSFORD.

Hon. Mr. DICKEY objected to the continuance of this kind of legislation. Our statute book was becoming encumbered with Incorporation Acts of a local character, which should be passed by Provincial legislatures. At the early part of the next session it would be well to lay down some general rule or start on some principle that we might have something to guide us in regard to these measures.

Hon. Mr. MACFARLANE supported the preceding views, saying however, the rule ought to be introduced at the end of a session, so as to give fair warning, and make a beginning in good time. We had been too much occupied with bills of a local character.

Hon. Mr. DICKSON said these remarks did not apply to the present bill. It was difficult to know where the line was to be drawn. Therefore it would have to be defined by Act of Parliament what was proper for us to consider under the British North America Act.

After remarks by Hon. Messrs. BOTSFORD and FERRIER, Hon. Mr. DICKEY said he could not act as suggested, at the end of this session, as he would not be here. But a line had to be drawn somewhere, and the beginning of next session would probably be a very good time. Motion carried.

Hon. Mr. CAMPBELL moved second reading of the Intercolonial Railway Construction Law Amendment Bill, to warrant a change of gauge to four feet eight and a-half inches. Carried.

Hon. Mr. AIKINS moved second reading of the Superannuation Act Amendment Bill, which he explained was to reduce, by one-half, the deductions from the salaries of the civil servants. Carried.

Hon. Mr. CAMPBELL moved second reading of the Bill respecting facilities for the transmission of timber down streams. Carried.

The House then adjourned on motion of Hon. Mr. CAMPBELL.

TUESDAY, May 6.

The SPEAKER took the chair at three o'clock.

After routine,

THIRD READINGS.

Hon. Mr. CAMPBELL moved the third reading of the steamboat inspection bill; also the third reading of the seamen's desertion preventive laws amendment bill. Carried.

Hon. Mr. CAMPBELL moved the reference of the Militia and Defence Law Amendment Bill back to committee, to make some verbal alteration to suit the different local institutions of New Brunswick and Nova Scotia. Instead of Municipality County was used in certain cases, and instead of Justices of the Peace, the Custos or Chairman of the Court of Sessions might act in calling out the Militia. Carried; bill as amended read a third time.

THE INTERCOLONIAL RAILWAY.

Hon. Mr. CAMPBELL moved the third reading of the bill from the Commons, entitled the Intercolonial Railway Construction Law Amendment Bill.

Hon. Mr. LETELLIER DE ST. JUST said that perhaps the Government were ready to state whether they would adopt some scheme for the better protection of the country from the contractors for this road. Large amounts, it had appeared, were granted to some who had no just claim. They had been allowed for any trifling increase of the work on their sections, but nothing was deducted for diminutions of the work. Such reductions were to turn to the advantage of the Dominion. The contractors ought now to be told their contracts must be executed in a *bona fide* manner, and not made the means of extracting from the Government moneys to which no just claim existed.

Hon. Mr. CAMPBELL was not aware his hon. friend intended saying anything on this subject, and was therefore not prepared to follow him. Besides, being a money question, it had largely engaged the attention of the other House. The present bill was merely to change the gauge of the Intercolonial.

Hon. Mr. LETELLIER DE ST. JUST said if that was so, it was a matter of congratulation. Members on that side of the House had striven for two or three sessions to induce the Government

to make this change in the interest of the country, but in vain. We were losing now some millions by the change, which, a few years ago, could have been effected without expense.

Hon. Mr. CAMPBELL was sorry there should be any discussion on the subject, but he could not allow the hon. gentleman's words to go unanswered. The reason for not changing the gauge previously was the inability of the Grand Trunk, which joined the Intercolonial, to adopt the narrow gauge. But quite lately the G. T. R. had found a way of effecting this improvement, which altered the whole case. There were two hundred or three hundred miles of other roads in the Lower Provinces, on the broad gauge connecting with the G. T. R., so that there seemed no sound reason for our making the change before. The hon. gentleman was entirely misinformed as to the loss the country would sustain. It would be comparatively trifling, involving the change of one rail from River du Loup to Trois Pistoles. The rolling stock for the broad gauge could be used on roads in New Brunswick and Nova Scotia. A third rail would be laid from Moncton to Halifax, thus forming a continuous line on the narrow gauge from one end to the other of the road. The cost of the new rail to Trois Pistoles, would not exceed \$50000 or \$100,000 he believed.

Hon. Mr. LETELLIER DE ST. JUST said if he recollected well, the hon. Minister of Public Works stated the loss by the change of gauge would not exceed \$600,000. It was the plant that would cost.

Hon. Mr. CAMPBELL said he did not know what that hon. Minister referred to, because the plant would be used on the broad gauge roads in New Brunswick and Nova Scotia, including the lines from Shediac to St. John, Pictou to Halifax, Halifax to Windsor, and Truro to Amherst.

Hon. Mr. LETELLIER DE ST. JUST—So the policy of the Government on this question was to be subservient to the Grand Trunk, and all our railways from Halifax to the Pacific are to be subservient to that road. But shortly after last session the Grand Trunk Railway was changing the gauge on over one hundred miles of its road in the West, which shows it was then contemplating a general improvement in this direction, and could not without injury maintain the old gauge.

Hon. Mr. FERRIER thought it was not fair to reflect upon the Government for not anticipating, a year ago or more, a change which had suddenly come upon

the public, and produced a most agreeable surprise. He himself always approved of the narrow gauge as the most profitable, and had suggested it for the Intercolonial, believing it would not be many years till our English friends would see the necessity of changing the Grand Trunk Railway gauge. All was done that could be in reference to this matter; but no way of making the change appeared to the Managers and others interested, unless the Government furnished the money. The scheme of raising this money came from a quarter not expected, Mr. McEwan, and surprised and delighted us beyond measure. We did not imagine a scheme so sensible and useful to the Grand Trunk Railway could have been devised. It should have come up several years ago. The Government could not have foreseen it. The Intercolonial had to run in connection with the Grand Trunk, and had to conform to its gauge, or employ changeable or adjustable wheels, which had been found dangerous, and were dispensed with. He thought the Government had acted properly in this matter.

Hon. Mr. CARRALL said the opposition of the hon. member for Grandville (Hon. Mr. Letellier), appeared cynical and hypercritical. The Government could not well have acted as desired before the question of the gauges was decided, nor would it have been well to force an expensive and perhaps ruinous change upon the Grand Trunk.

Hon. Mr. BOTSFORD said he had always taken a deep interest in this question which he had brought before the country and the Government for the last four years. He felt much gratified that the Government had at last abandoned the broad gauge, and did not feel disposed to criticise their conduct severely, although it was to be regretted this wise decision had not been come to before. The Postmaster-General, in expressing his views as to the cost of this change, had not grappled with the subject of the merits of the respective gauges. He had not realised the saving possible to the country from the adoption of the narrow gauge three years ago, when the Commons, influenced by the Government, gave only a majority of two in favor of the broad gauge. It was well known three years ago that the narrow gauge was the best.

Hon. Mr. FERRIER—Ten years ago.

Hon. Mr. BOTSFORD said the European and Indian Governments had adopted the narrow gauge for their roads, three years ago, as equal to all the requirements of traffic. The difference in the cost of the

respective gauges, so far as we were concerned, lay not so much in changing the rails, or putting down an additional rail, as in the construction of the permanent way, in rock cutting and embankments. Not more than one-fourth of the work absolutely necessary for the permanent way of a broad gauge would have been wanted for the narrow. Furthermore, the iron bridge work required by the locomotives of the broad gauge far exceeded that necessary for those of a narrow road. The difference in the cost of the Intercolonial, as compared with its cost on the narrow gauge principle, was much greater than the Postmaster General set forth in his remarks on this motion. Moreover, there were competing railways between the great Canadian centres and the Maritime Provinces, which would be used for all time to come in preference to the Intercolonial. Therefore it was certainly incumbent on the Government, and the legislatures to favour the cheapest line possible. The Intercolonial, it could be proved to a demonstration, would never be more than a local road for the country interested. He deeply regretted then, that the Government did not make this change sooner.

Hon. Mr. DICKEY pointed out difficulties in the way of practical action in accordance with the hon. gentleman's views, including the broad gauge of the Grand Trunk, the main line of the country, and the controversy between engineers. He was glad to hear the Postmaster General say that, although there would be a third rail at the Halifax end of the road, there was to be none from Riviere du Loup to Moncton.

Hon. Mr. CAMPBELL said the Government would take up or remove the rail, making a narrow gauge from Riviere du Loup to Trois Pistoles.

Hon. Mr. DICKEY said that was wise. It would be better to make a temporary arrangement for the road from Moncton to Halifax, than lay a third rail from Riviere du Loup to Moncton. By the time the system was finished between these points, a good deal of the old rolling stock would be used up on the Halifax section. He did not see how the expense of this change could be serious. Certainly the alteration could not reach anything like a million as apprehended by some hon. gentlemen. He thought the Government scheme judicious.

Hon. Mr. FERRIER said the saving in the construction of the narrow gauge, involved ten and a half inches in rock cutting, and something in ties; but the



principal economy was in the wear and tear of the road.

The bill was read a third time.

#### THIRD READINGS.

The following bills were read a third time:

Bill from Commons: Superannuation Act amendment. Hon. Mr. Aikins.

Bill from Commons: Timber Transmission down Streams facility. Hon. Mr. Campbell.

Bill N: Dominion Lands Act doubts removal. Hon. Mr. Aikins.

Bill from Commons: Navigable Streams and Rivers Protection Bill. Hon. Mr. Flinr.

#### SECOND READINGS.

The following bills were read a second time:

Bill from Commons: Warrior Mower Company Incorporation. Hon. Mr. Bureau.

Bill from Commons: Queenstown Suspension Bridge Company's amendment. Hon. Mr. Dickson.

Bill from Commons: St. Francis and Megantic Railway. Hon. Mr. Macpherson.

Bill from Commons: Toronto Freehold Permanent Building Society's change of name. Hon. Mr. McMaster.

Bill from Commons: Great Western and Lake Ontario Shore Junction Railway. Hon. Mr. McMaster.

Bill from Commons: Dominion Fire and Marine Insurance. Hon. Mr. McMaster.

Bill from Commons: Detroit River Railway Bridge Company's amendment. Hon. Mr. Dickson.

Bill from Commons: London and Canadian Loan and Agency. Hon. Mr. McMaster.

Bill from Commons: Central Bank of Canada Incorporation. Hon. Mr. Ferrier.

Bill from Commons: Desjardins Canal. Hon. Mr. Mills.

Bill from Commons: Superior Bank of Canada change of name. Hon. Mr. Macpherson.

Bill from Commons: Railway Companies Increased Accommodation amendment. Hon. Mr. Oliver.

On motion of Hon. Mr. CAMPBELL, the House adjourned.

WEDNESDAY, May 7.

The SPEAKER took the chair at three o'clock.

After routine,

A number of bills were reported from

Committees without and some with amendments.

Hon. Mr. McMASTER moved concurrence in the amendment to the Bill to change the name of the Freehold Permanent Building Society of Toronto, to that of the Freehold Loan and Savings Company, and to extend the powers of the same.

Hon. Mr. RYAN called the attention of the Government to this measure. The Bill appeared not only to change the name but the nature of the corporation, so as to make it a savings bank, and as other savings banks were compelled to make monthly returns for the protection of the public, perhaps this one should do so also.

Hon. Mr. McMASTER said the Bill had passed through the Commons and the Banking Committee also without exception of this kind. The Company had been in operation 12 years, and enjoyed a good standing.

Hon. Messrs. BENSON and MACPHERSON also approved periodical returns and all possible protection to the public in matters of this kind. Though it might be proper to pass this bill, a general law on the whole subject should be brought down by the Government.

Hon. Mr. CAMPBELL thought the member for Victoria (Mr. Ryan) had done a service in calling attention to this matter, because it was necessary that the public, who used these societies on the assumption of a security which certain names connected with them gave—names of high respectability—should possess a real security. This question would probably be dealt with another session by an Act requiring the making of returns, containing all necessary information as to the satisfactory character of such societies.

Hon. Mr. LETELLIER DE ST. JUST said the building societies of Lower Canada were in receipt of large amounts of money, and returns should be exacted from them as well as from savings banks. This subject should be dealt with by general legislation. He thought, however, this bill should be allowed to pass, the Government undertaking to legislate next year.

Hon. Mr. CAMPBELL promised to bring the matter under the attention of the Finance Minister.

Hon. Mr. RYAN said his only object was to call attention to the need of better public protection in the matter. He had no wish to obstruct this bill.

Hon. Mr. McMASTER said these societies were creditable to the sections in which they existed and had done good service; and numerous as they were and extensive as was their business, not a dollar had been lost by them. They ought to be spoken of with respect.

The amendments and third reading were agreed to.

#### THIRD READINGS.

Act to incorporate the Maritime Warehousing and Dock Company.

Act respecting the Desjardins Canal.

Act to incorporate the Dominion Fire and Marine Insurance Company.

#### CONTINGENCIES.

Hon. Mr. SEYMOUR presented the second report of the Contingencies Committee, and after explanations, moved its adoption. Carried.

Hon. Mr. BOTS-FORD moved the third reading of the Maritime Railway Equipment Company Bill. Carried.

On motion of Hon. Mr. CAMPBELL the Pictou Harbour Bill, Nova Scotia, was referred to Committee of the Whole, from which it was reported without amendment.

Hon. Mr. CAMPBELL moved the second reading of the bill from the Commons respecting wreck and salvage. He explained that after wrecks somebody should be on the spot to look after the vessels, and the protection of all property exposed. In addition to provisions to meet this want, he proposed to lay restriction on dealers in marine stores, as had been done in England. Carried.

Hon. Mr. CAMPBELL next moved the second reading of the bill from the Commons, for the improvement of the St. Lawrence between Quebec and Montreal. It was thereby designed to raise by loan a sum not exceeding a million and a half, to deepen Lake St. Peter to twenty-two feet at low water. The work was to be under the charge of the Commissioner of Public Works, and the supervision of the Harbor Commissioners of Montreal.

Hon. Mr. RYAN directed notice to a mistake in the bill, by which payments to the sinking fund were to commence in July 1873, instead of July 1878.

Hon. Mr. CAMPBELL said he would enquire into the matter, and correct the error, if such it was.

The following bills were read a second time:

[Bill from Commons] Montreal Telegraph Company's powers extension Bill.— [Hon. Mr. Ferrier.]

[Bill from Commons] Buffalo and Lake

Huron Railway Company's Bond Debt Bill.— [Hon. Mr. Ferrier.]

Several bills from the House of Commons were read a first time.

On motion of Hon. Mr. CAMPBELL the House adjourned.

THURSDAY, May 8.

The SPEAKER took the Chair at three o'clock.

After routine,

Hon. Mr. WILMOT asked whether it was the intention of the Government to appropriate any money for the purpose of deepening the channel of the River St. John at the Oromocto shoals, in accordance with the recommendation of Henry F. Perley, Esq., C. E., in his report to the Department of Public Works?

Hon. Mr. CAMPBELL replied that means would be appropriated for dredging, and he would be willing, in company with the honorable gentleman, to meet the Minister of Public Works to discuss the question of constructing booms and further improvements.

Hon. Mr. WILMOT said these works would not be very expensive.

Hon. Mr. ODELL urged these improvements as much wanted, and not likely to prove costly.

#### THIRD READINGS.

The following Bills were reported from committee and read a third time:

To extend the powers of the Montreal Telegraph Company.

To change the name of the Superior Bank of Canada to that of the Imperial Bank.

Date's Patent Steel Company Bill—Hon. Mr. DICKSON.

Hon. Mr. CAMPBELL moved the second reading of the bill to make further provision for the Government of the North West Territories. He briefly explained its purpose to be the empowering of the Governor in Council, in conjunction with the Lieut.-Governor of Manitoba, to extend new laws passed by this Parliament to the North West Territories. The laws necessary to enforce there, might perhaps safely be left to the discretion of the Governor General here and Lieut.-Governor there. By way of offering additional or necessary protection in this matter, a schedule was attached to the bill, suggesting the acts which should be extended, but the Governor General was not limited thereto, having a proper discretion in the matter; provided always that nothing be done inconsistent with any act expressly

referring to these Territories. The bill proposed to confirm whatever has been done by the Governor General in Council, so far—Motion carried.

Hon. Mr. CAMPBELL moved the second reading of the procedure in Criminal Cases Law Amendment Bill.—Carried.

On the order for the consideration of the fifth report of the Joint Committee on Printing,

Hon. Mr. SIMPSON said he thought it should be discussed in the Commons before being dealt with here, as it affected the public purse. He therefore moved the order be now discharged and taken up on Monday—Adopted.

Hon. Mr. CAMPBELL moved the second reading of the bill from the Commons, respecting wrecks and salvage. Carried. The House went into committee on the bill, some of whose clauses suggested amendments and discussion. After recommendations from Hon. Mr. LEBELLIER DE ST JUST and other members, on motion of Hon. Mr. CAMPBELL, the Committee rose, reported progress, and asked leave to sit again.

On motion of Hon. Mr. CAMPBELL, the bill to provide for the improvement of the St. Lawrence between Quebec and Montreal was referred to committee, and reported with an amendment, correcting the error as to the date of the commencement of the sinking fund, which is to be July, 1878, instead of 1873.

#### THE POSTAL SERVICE.

Hon. Mr. CAMPBELL moved the second reading of the Ocean Mail Service Bill. He explained its main features, saying a contract had been made with the Allan Company for five years' service, on better than the old terms. The amount henceforth to be paid is \$96,000 per annum less than formerly, and in the next place the class of steamers is to be improved; the space is to be increased, with better accommodation for passengers.

Hon. Mr. FERRIER said he hoped that before the five years were out, the Postmaster General would advertise for tenders for this service. He thought it might be done on better terms to the country.

Hon. Mr. CAMPBELL, assenting was understood to say he had no doubt the receipts from ocean postage would quite equal the expenses by the end of five years.

In reply to Hon. Mr. MACPHERSON, Hon. Mr. CAMPBELL said the Government could revise or renew the contract

any time before the expiration of the five years.

Hon. Mr. MACPHERSON thought it was best to keep ourselves free, with a view to encouraging the competition of various steamship lines, and making the best bargain for the country.

Hon. Mr. CAMPBELL said there was no line running to Portland in the winter but the Allan.

Hon. Mr. MACPHERSON replied that so long as it was favored, as at present, there would be no other line.

Hon. Mr. CAMPBELL did not think it would be advisable to send the mail by any steamer going. The Allan steamers were so good that a great deal of foreign mail matter was sent by them. He believed it would be always desirable to have one good line of steamers.

Hon. Mr. MACPHERSON also desired first class steamers, while convinced we should do all in our power to encourage various lines by our route.

Hon. Mr. FERRIER said the Dominion line ran one steamer a fortnight, during last winter. They were now building three or four first class steamers for our regular route to Quebec, which were well advanced to completion. They would come to Portland in winter, weekly. The Grand Trunk Railway would be able to freight a couple of steamers a week, when they got everything in order as they soon expected. His reason for speaking on the subject at present was to put the Postmaster-General in possession of the facts for his guidance. With five new steamers and four on the route at present, he expected the company would shortly be able to make a weekly trip to Quebec or Portland. He hoped, therefore, the Government would be in a position to ask for tenders before very long.

Hon. Mr. McMASTER said it was a great pity tenders were not asked for on the present occasion. He had no doubt that if the company referred to by the hon. gentleman from Montreal (Mr. Ferrier) had been free to participate in the mail service, it would have been willing to contract to carry the mails once a week. A second mail would be a great convenience to the trade of the country, in reducing freights and otherwise. He hoped the actual contract would not be continued for five years.

Hon. Mr. LEBELLIER DE ST. JUST believed this bill should receive better consideration, for it might deter intending competitors with the Allan Line from coming forward. The abandonment of the idea of competition would destroy our hope of cheapening freight and pas-

sages. If it was known the Government was ready at any moment to select the best vessels, the commercial community would have an inducement to compete.

Hon. Mr. MACPHERSON said the Canadian line of steamers was a credit to the country and its owners. Still it was not a fast line, or equal in this respect to the Inman. The passage from Quebec to Liverpool was between 450 and 500 miles shorter than from New York to Liverpool. There was a difference also in favor of our steamers in the smoother water of the River and Gulf of St. Lawrence, as compared with a portion of the American route. These advantages made a difference of at least two days' sailing in favor of our route and were our vessels equal to the best of the Inman—the "City of Paris" and others—the trip from Quebec should be two days shorter than at present. It should be our study, as it was our interest, to hold out inducements to ship-owners to employ faster vessels on our route, which would secure the carrying of other mails also. No one line should have a monopoly. Faster vessels would not only get the mails, but attract trade to the St. Lawrence.

Hon. Mr. CAMPBELL said the Dominion line mentioned was not in a position to offer tenders, so there seemed to be no object in calling for them. This line might hereafter be in a position to tender. All he thought necessary was, that we should have the mail service by the best line of steamers. He did not think too much stress should be laid on the matter of speed. It was not in the interest of public safety that we should over stimulate competition in this respect. Our past experience afforded us a sad warning and induced a change in the mail regulations, by which captains were allowed for detentions owing to fogs. This was a useful alteration, and for the last six or seven years there were no accidents by the Allan Line. Although the Inman steamers made quick passages, other New York lines, including the Williams and Guyon, which carried the mails, did not make as fast passages as the Canadian steamers. On several occasions the Canadian mails arrived in England sooner than the United States, though the Portland steamer left two days after the New York.

Hon. Mr. FERRIER said the keels of the new vessels of the Dominion Line, of which he spoke, had been laid down since the contract was made with the Allans, but hereafter it was desirable we should have two mails a week from our shores;

why should we not possess this advantage? (Hear, hear.)

Hon. Mr. REESOR also advocated the encouragement of other companies, and a second mail per week, for which the subsidy should be divided.

Hon. Mr. WARK said he had been led to expect the despatch of a line of steamers from Halifax to Valentia, the nearest British port, on the completion of the Intercolonial Railway, in order to the shortest possible trips, particularly in summer. The mail might be sent from Quebec to Halifax in twenty hours. He had always thought that both the United States and Canadian mails might to a great extent, be transported by this route, and that there should be quick steamers, carrying little freight, so as to be able to cross the ocean in five days.

Hon. Mr. CAMPBELL—No doubt when the Intercolonial is completed to Halifax, the mail service will have to be revised.

In reply to Hon. Mr. LEVELLIER DE ST. JUST,

Hon. Mr. CAMPBELL said he reserved power to have the mails landed at Bic, if necessary. His present desire was to have them landed at Father Point, if the dock should be completed there. It had been suggested that would be the best place for facilitating the delivery of the mails.

Hon. Mr. LEVELLIER DE ST. JUST—A landing could be made at Bic in summer, which would bring the mails nearer Quebec by some sixty miles.

Hon. Mr. SIMPSON urged the propriety of encouraging competition.

The bill was read a second time, referred to Committee, and reported without amendment.

Hon. Mr. FERRIER moved the second reading of the Royal Canadian Insurance Company Bill. Carried.

Hon. Mr. SIMPSON presented a petition from F. C. Capreol, for the assistance of the House in his effort to obtain remuneration from the Northern Railway for old time services.

On motion of Hon. Mr. CAMPBELL, the House adjourned.

May, 9, 1873.

The SPEAKER took the Chair at three o'clock.

After routine,

Hon. Mr. DICKSON announced that the Bill to incorporate the Royal Canadian Insurance Company had passed the Private Bills Committee, with an amendment.

Hon. Mr. RYAN called attention to the close resemblance, almost the similarity

of the name of this company, to that of the English company, under the Imperial charter, namely, the "Royal" so well known in this and other countries. He thought it undesirable to sanction the use by new companies, no matter how respectable, of names of old ones long established, or names very like them. Thus confusion would be created, and injustice done deserving long established companies whose business might be withdrawn from them to some extent.

Hon. Mr. DICKSON said the honorable gentleman who had charge of the Bill, (Mr. Ferris) was now absent. He did not think there was sufficient ground for objection to the proposed title.

The SPEAKER suggested that the honorable chairman of the committee might withdraw his report for the present.

Hon. Mr. BUREAU objected to this exception altogether, arguing there was no good reason for changing the title of the Bill. The proposed title, like the Company in question, belonged to the Dominion, there being none other under that name. The old company was an Imperial Insurance Company. The word Canadian constituted a sufficient difference and distinction, and the new company's name could not injure the old company, so well known in Canada and the United States. The new Company embraced many citizens of Montreal and had a large capital and a good standing. Every encouragement possible should be given Canadian companies, for we suffered much from the high rates imposed by foreign companies to recoup losses sustained elsewhere, such as the Chicago fire. Thus we should employ our own capital and save interest. Now, profits made in Canada by foreign companies went abroad. While allowing them every facility, we should not discriminate against our own Companies.

Hon. Mr. RYAN said the rule of the House was to prevent a second or new company using the name of an old one in operation. Otherwise, the one might be dealt with by mistake for the other, and the character which the old had established in the country might inure to the benefit of the new. It was only in view of such facts he had spoken, having no desire to prevent the establishment of a new Insurance Company. Quite the contrary. He was delighted to see Canadian companies flourish. The English or foreign companies doing business here paid a great deal of money in the country. Instead of making great profits, the business, he thought, had been rather a losing one. Those companies

had to invest large amounts in Dominion securities, and were entitled to fair play. The hon. gentleman said he would object to another Canadian Company calling itself the "Royal Canadian," and yet assented to this new one using the name of the old. It was only to the similarity in the names that he (Mr. Ryan) had any objection.

Hon. Mr. MCFARLANE said he saw no reason for this opposition. The distinction in the titles was quite apparent, and could scarcely lead to any confusion or mistake. He did not see why one company should have a monopoly of the word "Royal." He advocated the encouragement of Canadian companies, asserting that orders were sent out to raise the rates in Nova Scotia and Halifax after the Boston and Chicago fires, and it was with the utmost difficulty the people at the head offices, on the other side of the Atlantic, could be convinced they were taking a course injurious to their interests. Our people should be encouraged to invest their large surplus capital in undertakings like the present, while not interfering with or injuring foreign companies. He could see nothing in this name to induce us to change it. The word "Canadian" was a distinction ample for the protection of the English association.

After further discussion, in which Hon. Messrs. WILMOT, WARK, LETELLIER, DESJ. JUST and RYAN took part,

Hon. Mr. DICKSON stated the proceedings of the committee respecting this bill. He said, the petitioners were present, and after a good deal of discussion as to the title of the bill, the actual was agreed upon as proper and fair. They made a necessary amendment in committee.

Hon. Mr. MACPHERSON agreed with preceding speakers as to the importance of preventing such public inconvenience as would be occasioned by different companies using the same name. In this case he deemed the word "Canadian" a sufficient distinction, and one which would at once be noticed by the public. He hoped, therefore, his hon. friend (Mr. Ryan) would not consider it necessary to press his objection.

Hon. Mr. RYAN said that what had fallen from the chairman (Mr. Dickson) satisfied him, namely, that the committee had considered the bill. He could not, therefore, proceed with the objection, although he was still of opinion there was much similarity in the names, which would lead to confusion; still, in deference to the committee, he withdrew his objection.

On motion of the Hon. Mr. LETELLIER.

DE ST. JUST, the amendments were concurred in, and the bill read a third time.

Hon. Mr. ODELL submitted the report of the Joint Committee on the Library, containing certain recommendations in regard to the obtaining of information illustrating the early history of Canada.

#### GOVERNMENT RAILWAY.

On the resolutions of the Hon. Mr. BOTSFORD coming up, in reference to terminating the present objectionable system of special trains and free passes on the European and North American and Intercolonial Railways,

Hon. Mr. CAMPBELL said the Government had considered the subjects of the resolutions, and were endeavoring to make arrangements for the despatch of persons of experience and ability, perfectly competent to make a satisfactory report as to what changes ought to be made in the management of the Government railways, to the localities intersected by them. The negotiations with this object had not been completed, owing to the difficulty of procuring all the qualified parties desired and necessary. If the Government succeeded in finding suitable persons, they would be sent down. Until they got their report, and were able to act upon it, he hoped his hon. friend would postpone those resolutions. The subject of free passes had engaged the consideration of the Government, and he believed instructions would be given that should effect such a change as would satisfy his hon. friend and those who thought with him on the subject.

Hon. Mr. BOTSFORD said that after these explanations he would not press the matter. It was quite evident the Government had determined to make such an investigation respecting these public works as they all desired. From his own knowledge he could say some such step was required for the public interest and convenience.

Hon. Mr. CHRISTIE moved that the petition of F. C. Capreol be referred to the Committee on Printing. Carried.

Hon. Mr. CAMPBELL moved that when the House adjourned, it stand adjourned till Monday evening next at eight. Carried.

Hon. Mr. CAMPBELL moved the third reading of the Amendment Civil Service Bill. Carried.

Hon. Mr. CAMPBELL moved the House into Committee on the Bill to make further provision for the government of the North West Territories. Bill reported and read a third time.

Hon. Mr. CAMPBELL moved the second reading of the Procedure in Criminal Cases Law Amendment Bill. Carried.

On motion of Hon. Mr. CAMPBELL the House went into Committee on the Wreck and Salvage Bill, from the Commons. He stated that after considering the suggestions of the honorable member for Grandville (Mr. Letellier De St. Just) he continued unwilling to make any change, in the nature of a departure from the terms of the English Act, of which this was a copy. The case he submitted, as illustrating a possible hardship under this Act, was very singular or exceptional. None such might occur again. He (Mr. Campbell) had suggested at the time that it might be better if the master, who should be entirely in command, if on board his imperilled vessel, should, even if in the neighborhood, have the controlling voice, and be empowered to say who should go on board. The Postmaster General went on to point out the inconsistency and possible inconvenience of putting others in charge instead of the captain, who was known to the owners and accounted responsible. Suppose such a case as that of the lower St. Lawrence to occur again, and parties attempted to enforce the Act against persons who had risked their lives to save a ship, the prosecutors would have to go before magistrates whose discretion would warrant a fine of but a farthing as well as of \$400. But such a case was extremely unlikely.

Hon. Mr. LETELLIER DE ST. JUST said all vessels abandoned by the captain and crew came under the authority of whoever boarded them for salvage purposes, according to the Admiralty Act.

Hon. Mr. CAMPBELL said in the St. Lawrence case the captain had not abandoned the vessel, but left her to get further assistance to save her.

Hon. Mr. LETELLIER DE ST. JUST—He abandoned her so that she drifted about in the ice two days. There was not a sailor on board (Fall before last) and it was owing to the efforts of the farmers they were saved. He might add that he heard that one of the persons selected by the Minister of Marine to distribute the gratuities he had granted these worthy people, had misbehaved and attempted blackmailing.

A long discussion took place in committee, Hon. Mr. Letellier de St. Just stating that the savers in the Kamouraska case had to sue for their rights, the court giving judgment against the Allans for £200 or £300 and though the captain was on the shore at hand, he was adjudged

to have abandoned the ship. These shore-men required some protection.

Hon. Messrs. MACFARLANE, WARK and other Senators spoke and offered suggestions. Finally the Postmaster General made some verbal amendments, including the omission of the word abandoned, with a view to leave authority in the hands of the master when present, or in the neighbourhood of the wreck. The penalty would then be against persons boarding contrary to the master's will. The provision as to perishable goods was also amended to secure protection to wreckers and others.

The committee rose and reported the bill with amendments, which were concurred in.

Hon. Mr. McMASTER moved the second reading of the bill from the Commons—the Great Western Railway Improvement Connections Bill. Carried.

Hon. Mr. CAMPBELL moved the second reading of the bill from the Commons, to amend the law respecting Savings Banks in Ontario and Quebec. He said it was intended to remove restrictions which prevented their investing certain portions of their money in other than Government securities. A certain portion of their earnings was retained for local distribution, to charities, and so forth. It was proposed to allow them to invest a portion of their gains in such securities as they thought best. Government securities gave them only five per cent. It was desired that these banks should always hold twenty per cent. of their funds in Dominion stock, or deposited in chartered banks as security to the public. The bill required returns from them very much the same as from ordinary banks.

Bill referred to committee and reported with amendments, which were concurred in.

#### SECOND READINGS.

The Canada Car Incorporation Bill—Hon. Mr. MACPHERSON.

Marezzo's Marble Company's Incorporation Bill—Hon. Mr. KAULBACK.

Hon. Mr. MACPHERSON, in the absence of Mr. FERRIER, moved the second reading of the Insurance Company of Canada Incorporation Bill. He explained that the Company had subscribed \$100,000 of a capital or guarantee fund, and the intention was to divide among the insurers all the profits. The principle was a desirable one, he believed. Motion carried.

A number of bills were received from the Commons and read a first time.

The House then adjourned on motion of the Hon. Postmaster General.

MONDAY, May 12, 1873.

The SPEAKER took the chair at 8 o'clock.

#### THE SANITARY CONDITION OF THE HOUSE.

Hon. Mr. LETELLIER DE ST. JUST called the attention of the Government to the enquiry now in progress with regard to the heating and ventilation of the House of Commons, and suggested the extension of its labors to the Senate Chamber also.

Hon. Mr. CAMPBELL promised the suggestion should be acted upon.

#### IN MEMORIAM.

Hon. Mr. CAMPBELL then said:—Since last the Senate was assembled, we have had to mourn over the death of a colleague, to whose presence we have long been accustomed in this House. The Hon. Asa Burnham had occupied a seat here since Confederation, and before that he had for many years been a member of the Legislature of the former Province of Canada; in the first instance in the House of Assembly, and afterwards in the Legislative Council of that Province. I am quite sure that those of us who were here on Saturday will be glad that they had an opportunity of assisting in the last mark of respect which it was in our power then to pay to his memory, and I am certain, also, that I speak the universal feeling of this House when I say that he was held in high esteem and respect by every one, and that we shall long miss his kindly presence in this House, his assistance at our deliberations, and his familiar face and greeting in the corridors and committee rooms which we frequent. Mr. Burnham, although not a man of much display, or of any display, had long filled what is much more advantageous to the country, a most useful part in its annals. He was a native of Ontario, and had witnessed the growth of that province from being a wilderness to its present state of prosperity and population. At the time he was born there was but a farm house at the place now called Cobourg, and but two or three houses between Kingston and Niagara. We who know that country now—its population, its wealth, its villages, towns, cities, with its extensive business done there—the life, the energy, and all that tends to make civilization and prosperity—recog-

nize the changes which have taken place in his time; and in those changes he himself bore a useful part in his own section of the country. It is not a matter of gratification to say of any man simply that he witnessed the prosperity of a country, but it is just praise to say that he aided in bringing it about; and our late colleague as a farmer, in the interest he took in agriculture, in the eminent position he constantly occupied as a citizen, filled that active and useful part which, combined with the similar exertions of individuals all over the country, have brought about that prosperity we now witness. He had in his own district long rendered valuable service as Warden of the county and Treasurer. He had distinguished himself in the promotion of the railway which leads from Cobourg to the interior of the country, and exerted himself, to good purpose, in connection with that most useful institution, the Savings Bank of the County of Northumberland; in all the duties of citizenship he discharged thoroughly and manfully the functions assigned him, ever displaying a laudable anxiety to participate in those enterprises and in that struggle, incessantly in progress, which have brought the country to its present stage of advancement and prosperity. I believe that in discharging the important duties of his station Mr. Burnham did not spare himself, in energies, time or means—that in the promotion of public undertakings, he has always been forward and zealous, and in the wane of life, in enjoying that respect which his part throughout entitled him to, his reward was but fitly given. He seemed to have acted throughout his life upon the rule suggested by an old English writer:

“Be useful where thou livest, that they may  
Both want and wish thy kindly presence  
still.”

I am sure that in Northumberland, where they knew him, such has long been the feeling, and that they will say “they want and wish his kindly presence still.” (Applause.) I feel I am but giving expression to the feelings of every one who hears me, when I propose, out of respect to his memory, that the House do now adjourn. (Applause.)

Hon. Mr. FLEINT, in a few kindly and felicitous remarks, paid a tribute to the memory of the deceased, recalling his virtues, and relating some of the experiences of his fatal illness.

The Hon. Mr. CHRISTIE said — In

seconding the motion of my hon. friend, the leader of the Government, I wish to add a few words to those so fitly spoken by him in reference to the worth of our departed friend. I have long had the pleasure of knowing Mr. Burnham somewhat intimately. We entered Parliament together in 1857, and since that time have been associated together very intimately in connection with the Board of Agriculture of the Province of Ontario. Mr. Burnham was a very quiet, unobtrusive man — a man whose qualities of head and heart entitled him to the respect of all who knew him. He was a faithful public servant, always, and fearlessly doing his duty according to his own heart's convictions. I can bear testimony to what has been said by the hon. leader of the Government. Mr. Burnham has borne a very active and leading part in promoting the agricultural interests of this Province. His services at the Board were of a truly valuable character; and when he ceased to be a member, we all felt we had lost a most efficient assistant and co-worker. And now that we miss his presence in this Chamber and in the Committee Rooms of the House, we cannot but feel his absence is a great loss to the country. I trust that the suddenness of his death will be compensated by the kind care of a merciful Providence, to his family, now bereaved of their head, and that it will be felt as an additional lesson as to the brevity and uncertainty of life. I have every satisfaction in seconding the motion of my hon. friend. (Applause).

Hon. Mr. LETELIER DE ST. JUST said, as one of the members from Lower Canada and a representative of them all on this occasion, he joined most sincerely in the sentiments expressed by hon. gentlemen, with regard to the loss of their late respected colleague. He thought there was no hon. gentleman present who did not share these feelings of sorrow, as well as regard for his sterling qualities. He deserved high commendation for his services to the country, and all must approve the happy style and the hearty manner in which the Hon. Postmaster General had referred to them. He [Mr. Letelier de St. Just] could but unite with the hon. members who had preceded him, in testifying to the merits of the lamented deceased, and in casting an humble flower on his grave. It was unnecessary to speak at length, or do more than express, in the feeble language he employed, his high sense of the excellence of their departed friend, and of the loss the country had sustained. [Applause].

The House then adjourned.



TUESDAY, May 13.

The SPEAKER took the chair at three o'clock.

After routine,

Hon. Mr. CHINIC presented petitions from Jas. Ross & Co., and the Board of Trade of Quebec, praying for the rejection of the Pilot Bill.

## BILLS REPORTED.

The following Bills were reported from the different standing committees, with or without amendments, and read a third time.

To incorporate the Marezzo Marble Company of Canada. Hon. Mr. Kaulback.

Act respecting the St. Francis and Magnetic Railway Company. Hon. Mr. Macpherson.

Act to enable the Great Western R. R. Company to further extend and improve its connections. Hon. Mr. McMaster.

Hon. Mr. CAMPBELL moved that the Wreck and Salvage Bill, as amended, be referred back to Committee of the Whole to make further amendments, which he explained were to deal with difficulties arising from clauses of the Civil Code of Lower Canada. The Bill would take the place of the Merchant Shipping Act, of 1854, as respects this country.

The amendments were concurred in and the Bill read a third time.

Hon. Mr. CAMPBELL next moved the third reading of the bill respecting Savings Banks in Ontario and Quebec. Carried.

## SECOND READINGS.

Hon. Mr. GUEVREMONT moved the second reading of Ward's Boom's Erection privilege bill. Carried.

Hon. Mr. CAMPBELL moved second reading of the Deck Loads regulation bill. He explained its object was to prevent the loading of vessels after the 1st of October and before the 16th March beyond three feet above their decks, except the poop. Those best acquainted with the subject considered an enactment of this kind most desirable in the interest of life and property. Carried.

Hon. Mr. FERRIER moved the second reading of the bill to incorporate the Glasgow Canadian Land and Trust Co. He stated they had availed themselves of the general Act, and wished this bill to be able to carry on various operations in the country in the way of developing its resources on the land owned by them or which they might acquire. Carried.

Hon. Mr. FERRIER moved the second reading of the bill respecting the Canadian and West Indian Royal Mail Steamship Company. He explained the com-

pany desired to open up a trade directly between Canada and the W. I. Islands; the telegraph now connecting them all would greatly facilitate this trade by acquainting shippers at once with the commodities required by the different localities. Hitherto captains have had to go from island to island in quest of a market. Steamers would leave our ports weekly or fortnightly with cargoes such as furniture or lumber, which we could supply more cheaply than the United States. It was believed by these corporators that they could establish a trade with Cuba particularly valuable to Canada. (Hear, hear.)

Hon. Mr. CAMPBELL said—With regard to the portion of the bill referring to a trade with Cuba, he had had, as Postmaster General, in the course of last summer, correspondence with the Consul-General of Spain at Quebec, and with Her Majesty's Consul at Havana, with the object and hope, although it had not yet fructified, of procuring a line of steamships under the Spanish flag between some port in the Dominion and Cuba. It would be a very great advantage if that object could be attained, because, by the law of Spain, goods entering a Spanish port under the Spanish flag, and in Spanish bottoms, paid 20 per cent. less duty than under a foreign flag. The Spanish Consul thought that merchants at Havana might be induced to undertake the enterprise on the assurance that a suitable subsidy should be given by the Dominion. The British Consul at Havana was written to, and he promised to communicate with the Spanish authorities, and between his exertions and those of the Governor-General, with the merchants at Havana, it was thought possible some of them might propose to establish a line between the Dominion and Cuba. He (Mr. C.) had communications from Havana afterwards, and was sorry to find that, up to the time of the last, none of the merchants were willing to undertake such a service, although the British Consul had assured several of them that a handsome subsidy would be given by Canada towards the establishment of such a line. It had also been suggested that some of the Quebec gentlemen interested in the Gulf Ports Steamship Company might undertake such a line. He communicated with them also, but without result. He thought if this bill was sanctioned, that probably a British line of steamers to the West Indies might be established, although he did not think it would be of so much consequence as one of Spanish vessels to Cuba. We had now a weekly mail from New York to

the British West Indies, and sufficiently speedy communication. He thought, moreover, that already a large quantity of articles, the growth of Canada, were consumed in those colonies, to which they went direct, the portion going by way of the United States being comparatively small. Our present trade, therefore, was as considerable as it was likely to be, even had we a line of steamers. But the consumption of Canadian goods and products in Cuba was very great, and in that trade we had very little participation. He trusted that if this bill became law, the gentlemen concerned in it would give great attention to the relative importance of establishing a line of Spanish bottoms, under the Spanish flag, between the Dominion and Cuba. (Hear, hear.)

Hon. Mr. FERRIER said in the United States there were differential duties against Cuba, but none in Canada. Therefore we already enjoyed an advantage in competing for this trade. He hoped it would be possible soon to establish free trade between Canada and Cuba. (Hear, hear.)

Hon. Mr. RYAN said he was very glad that hon. gentlemen on his own side of the House, and particularly Ministers, had begun to find out the value of a very old document that had lain in the archives of Parliament for some years without being acted upon—he meant the Report of the Deputation to the West Indies in 1866. (Hear, hear.) One of the things the Commissioners most earnestly and emphatically recommended was the establishment of a line of steamers between some part of the British North American possessions and the West Indies. They thought that regular postal communication by these steamers would necessarily tend to create an increase of the trade between these countries. We, the Commissioners, were met in every part of the West Indies, both British and Spanish, with open arms. The people were all anxious to facilitate trade in every way. We received documents from the British Governors of Demerara, of Trinidad, of Barbadoes, and Antigua, and of other British as well as Spanish possessions, all assuring us that those countries would be happy to join in contributing towards a subsidy for the establishment of a line of steamers between the West Indies and British North America. Well, when we came back and reported these facts, and recommended action, I am sorry to say, the Government of the day did not pay that attention to our representations which the importance of the subject deserved. (Hear, hear.) Therefore, if the country has been so long without a Mail service to

the West Indies, it is not the Commissioners who are to blame, for even since our report was made, we have individually again and again urged the importance of such a line of communication. (Hear, hear.) One time I thought that a line between Canada and the West Indies was on the eve of establishment, by means of a subsidy. Then, two years ago, I was in communication, through a very influential gentleman in Demerara, with that colony. Its people were still willing to make their contribution towards that line, although naturally complaining of the amount of time that had elapsed, and at the disappointment experienced at the non-realization of the hopes held out to them by this country. Now, I am afraid we should find it difficult to obtain their help. A line of steamers to the United States was established, to which they had contributed in various ways. What those colonies were then prepared to invest in a line to Canada, they had since spent on telegraph lines and other enterprises which had brought them into close communication with the States. Consequently less of our products went direct to those islands. There was indeed a large trade between Havana, in Cuba, and St. John, N. B. The trade in lumber from that port is considerable. In fact, we supplied the West Indies, to a great extent, but return cargoes were not so easily obtained; for them we needed more postal direct communication. At present we suffered from the slowness of the transmission of intelligence, rendering it difficult for our merchants to meet the varying phases of those distant markets. If we had a line of steamers running alternately with the fortnightly steamers from New York, as recommended by the West India Commissioners, starting from either Halifax or St. John, going by way of Portland, to take the Ontario and Quebec letters from Portland, and thence direct to the British West Indies, we might enjoy the advantage of a weekly communication with our fellow colonists. He did not know if his hon. friend asked for a subsidy in this Bill.

Hon. Mr. FERRIER—No.

Hon. Mr. RYAN was sure the merchants of Barbadoes, Trinidad Demerara, and all the great commercial islands would be delighted to see this line of steamers, and perhaps be still inclined to contribute towards this enterprise. Great anticipations had been caused by the Canadian Commission in 1866, but up to the present had not been realised, and at last it was only the spirit and influence of private

enterprise that could rouse the Government to activity in this matter. (Hear, hear and laughter.)

Hon. Mr WILMOT expressed regret that there had been so much disappointment in regard to the Government's part in this matter. Had the Government taken prompt and judicious action upon the report of the commissioners, considering the greatly enhanced price of all American products after the Civil War, he had no doubt that a large trade might have been created between Canada and the West Indies and Brazil. He conceived it was not too late to move yet in the matter. He trusted the Postmaster General would urge on his colleagues the absolute necessity of considering the report of the commissioners, with a view to bringing about these needed commercial communications. The people abroad should be informed of our products and facilities. Here we had the raw material and skill requisite to various manufactures in demand in the West Indies. Drum, of Quebec, for example, made cheaper furniture than could be produced in the States, which enjoyed a large trade in this article with Brazil.

Hon. Mr. CAMPBELL said the Government had not been quite so supine in the matter as his friends from New Brunswick and Montreal supposed. At the time this commissioners' report was issued, or shortly afterwards, the Island of Newfoundland appeared on the eve of entering the Confederation. Part of the terms proposed by her was a line of steamers between the Island and the West Indies, and between Newfoundland and Quebec, and we thought at that time we should take advantage of this demand to carry out the recommendations of the Commissioners who had visited the West Indies. For a year or more the scheme was held over, because we did not desire to start this line before Newfoundland entered the Union. After a year or two, that island not uniting, a new effort was made to open communications with the West Indies, but it was found it would involve considerable expense. He had had intercourse with the Allans on the subject, and correspondence with the Inman Company, and learned that a line of steamships between any port in the Dominion and the West Indies, could not then have been established short of a subsidy of £1,000 a voyage. Demerara and Barbadoes proposed to pay \$6,000 a year each, but that would have been but a small proportion of the whole cost. Nevertheless, had Newfoundland united with us, and exacted

this line, we should have gone on with the enterprise. But, as it was, its cost deterred us. There was also very soon after, a reasonable expectation of establishing a line to Cuba under the Spanish flag; still he was quite ready to acquiesce in some little part of the censure dealt out to the Government. There might have been some little delay. They were obliged to proceed carefully in such matters, however. If his hon. friend (Mr Ferrier), proceeded with his bill, and established this line, he would receive from the Government every reasonable assistance. (Cheers).

The Bill was read a second time, and referred to committee.

Hon. Mr. AIKIN's moved the second reading of the Weights and Measures Bill. He said its object was to set up a standard of measures of length, weight and capacity, to provide for the inspection of weights and measures in general use. The actual law and custom in these matters was far from satisfactory in the Dominion, while not complimentary to the intelligence of our people, nor to our commercial position. So far as we were aware, there were never more than two sets of authentic weights in the Dominion; one in Lower Canada, dating from 1795, which was destroyed at the burning of the Parliament in that Province, and another in Upper Canada, introduced in 1825, still remaining. In consequence of use and friction, the small weights not having been verified since that time, the standard was not what it ought to be. A copy of the standard weights had been obtained from London, and on comparing with it the Quebec weights in one of the divisions of Montreal, it was found the small weights were very light. The 1 lb. by 22½ grains; the 2 lb. by 32½ and the 4 lb. by 62½. Serious errors resulted from the constant use of these small weights in trade. This bill sought to remedy these evils. So far as the long hundred was concerned, in British Columbia 112 lbs were used, with 2,240 lbs. to the ton, while in other provinces they had 100 and 2,000 respectively. What was true as to weights applied as to the measure of capacity. The standard gallon was found to be very large, while the smaller vessels did not really contain what they purported. The bill would remedy this defect also. The imperial gallon would be substituted for the wine gallon. The change was easily made from the one to the other. The imperial was one-fifth larger than the wine gallon, so there was no difficulty in conversion or calculation. The new system was better adapted to our wants and ne-

cessities than that proposed by the bill of a year or two ago, which did not become law.

Hon. Mr. WILMOT—You propose to establish the imperial system of weights and measures. ?

Hon. Mr. AIKINS—Yes.

Hon. Mr. WILMOT—In New Brunswick we have it.

Hon. Mr. WARK—Not the Imperial gallon.

Hon. Mr. AIKINS—In the several Provinces there are legalised systems of weights and measures, but not verified.

Hon. Mr. WILMOT said they were already provided for in New Brunswick.

Hon. Mr. RYAN congratulated the Government on the introduction of this very important bill, and the country also, which would have the benefit of a uniform system of weights and measures. The Imperial dry and liquid measure would now be in force throughout the whole Empire. The provisions for inspection were also valuable; for no matter how correct weights might be when first introduced, deterioration was incessant, and, if not constantly inspected, or verified, there might be a considerable loss from lightness. He thought he might also congratulate this House on this measure, for the whole of this plan of re-verification or reorganization of our weights and measures was attributable to the Senate. (Hear, hear.)

Hon. Mr. CAMPBELL—To my hon. friend himself. (Hear, hear.)

Hon. Mr. RYAN—No, to a committee which, alas, he was afraid he had forgotten. [Hear, hear, and a laugh]. A special committee was appointed in March, 1870. It reported in May, 1870, and its report was adopted. It considered the question of weights and measures, generally, in connection also with the decimal system of coinage, and the metric system. The result was that in April, 1871, we saw introduced a metric weights and measures permissive bill, which was assented to and was now in force, with the greatest advantage, particularly as regards transactions with countries on the continent of Europe employing the same system. He hoped that the Government would follow this measure by the introduction of a metric weights and measures bill, and that the system, which was the true scientific one, would be taught the pupils of our schools, for it would ultimately prevail throughout the country. Last year, nothing having been done towards a reform, he moved a resolution that, during the interval between the dissolution of the present, and the assembling of a new

Parliament, steps might be taken by the appointment of a commission of enquiry, or otherwise to obtain such full and correct information as might enable the Government to submit to Parliament at its next session, a bill or bills providing for—first, one uniform system of weights and measures throughout the Dominion. Second,—The purchase and maintenance at convenient places, of accurate and reliable standards of length, weight and capacity, including standards for the measurement of gas and water. Third.—a regular and general inspection of all weights and measures throughout the Dominion. He was glad to see that in the Bill all these matters were provided for, and congratulated this House on being to a large extent the originator of the present very valuable measure. (Cheers.) It might be made more complete and perfect, but it was necessary to some extent to yield to the old notions and habits of the people. One great improvement concerned grain, which would hereafter be sold by weight, instead of a varying bushel measure for both oats and wheat; the cental would be the legalized weight throughout the country. The change from the wine to the Imperial gallon was a great step in advance, as it insured uniformity. It would satisfy New Brunswick, and that important colony Newfoundland, which prevented us from getting the steamers to the West Indies (a laugh) with British Columbia, all of which used this Imperial measure. Canada was the only portion of the Empire hitherto without it. Altogether the bill was an excellent one (Hear, hear.)

Hon. Mr. KAULBACK also expressed his approval of the bill, stating that it would have a good effect with the fishermen of Nova Scotia, who had to pack up 112 pounds of fish to the quintal, while the Americans got off with only one hundred in the markets of the West Indies.

The bill was read a second time.

Hon. Mr. CAMPBELL moved the second reading of the Procedure in Criminal Cases Law Amendment Bill. He explained that the bill was the joint work of the Attorney General for Ontario and the Premier, being designed to empower the Lieutenant Governor, in certain cases, to order the removal of lunatics in prison on charges of crime, still untried, to a place of safe keeping.—Carried.

Hon. Mr. MACPHERSON moved the second reading of the bill to incorporate the Canada Car Company. He stated the Company purposed manufacturing railway cars, locomotives, and equipments of all

kinds, and asked authority also to sell and lease to various railway companies throughout the Dominion. That, he thought, constituted it a company, which had a right to ask incorporation from this Parliament.—Carried.

Hon. Mr. RYAN moved the second reading of the Canada Paper Company Incorporation Bill.

Hon. Mr. MACPHERSON objected to this Bill on the same principle which actuated him the other day in opposing the Goldsmiths' Bill. Its design was to favor a corporation at the expense of private individuals or manufacturers.

Hon. Mr. RYAN argued the Bills were quite different, and mentioned the names of Andrew Allan, Hon. John Hamilton, Donald Smith, and Angus and Logan, the present paper makers, as among the coporators, and as a proof of their ability to undertake what they promised.

Hon. Mr. MACPHERSON thought the hon. gentleman had thus really given up the bill, which he now presented merely on the strength of the names of the coporators.

Hon. Mr. RYAN disclaimed this object, saying he designed only showing the difference between the character of the respective applicants.

Hon. Mr. MACPHERSON said we had never in Parliament investigated the point of the strength, relative or otherwise, of parties seeking incorporation. He did not oppose this bill on personal grounds, but because of a principle; he believed this business could be carried on without an Act of incorporation. If urgently wanted, the promoters could come under the general Act of the Dominion, or, better still, the Local Legislature.

A discussion ensued in which Hon. Mr. LECHELLIER supported the bill, as did also Messrs. CAMPBELL and FERRIER as one worthy of encouragement, as calculated to encourage home manufactures. Mr. Ferrier said one of the parties already made ten tons of paper a day, and might under this bill produce 60 tons. These measures should not be dealt with on a strict general principle, but on their merits. The bill was precisely similar in principle, however, to that just advanced by the hon. gentleman himself, the Car Company's.

Hon. Mr. BENSON advocated the bill, believing the encouragement of the paper manufacture of great importance.

Hon. Mr. SIMPSON urged the adoption of some general principle regarding these measures, instancing what could be done by enterprise under the general Act, in

various manufactures within his own personal knowledge. They ought not to settle this matter on its merits. What should be done under general legislation should not be attempted by special.

Hon. Mr. VIDAL concurred in the view of the propriety of some general rule in these cases; but at this late period of the session it would be an invidious distinction to apply it in the case before us. For the short remainder of the session, they might judge these bills on their merits. He did not see how this bill could be put in the same category with the Goldsmiths'.

Hon. Mr. McMASTER contended the objections against the Goldsmiths' bill were frivolous. They were trustworthy parties in every respect, against whom there was no petition. There was no analogy between this paper company and the car company, which would require a capital no individual could be expected to procure.

The bill was read a second time.

The following bills were also read a second time:—

Montreal, Chambly and Sorel Railway Bill—Hon. Mr. Armand.

Canadian Metal Importation Company Bill—Hon. Mr. Letellier de St. Just.

Dominion Dock and Warehousing Company Bill—Hon. Mr. Skead.

Northern Colonization Railway Line Extension Bill—Hon. Mr. Ryan.

Dominion Express Company Incorporation Bill—Hon. Mr. Macpherson.

Canada Mutual Marine Insurance Company Bill—Hon. Mr. Ryan.

Hon. Mr. MACPHERSON moved the second reading of a bill from the Commons to incorporate a company desirous of laying down an Atlantic Cable. He explained that it was intended to lay it down from the United Kingdom to Canada.—Carried.

Hon. Mr. SIMPSON submitted the sixth report of the Joint Committee on Printing, and moved it be considered Friday next. Carried.

In reply to Hon. Mr. RYAN.

Hon. Mr. CAMPBELL said he could not state when Parliament would be able to adjourn. It depended, of course upon the progress of business in the Commons.

The House, on motion of Mr. Campbell, adjourned.

WEDNESDAY, May 14, 1873.

The SPEAKER took the chair at three o'clock.

Hon. Mr. SEYMOUR presented the third report of the Committee on Contin-

gencies, containing a variety of recommendations by the Sub-committee. He moved that it be taken into consideration to-morrow. Carried.

#### OUR RIVER NAVIGATION.

The bill to enable Jas. K. Ward and others to place booms in the Channel between Isle St. Ignace and Isle du Pads, in the District of Richelieu, was reported from the Private Bills Committee without amendment.

Hon. Mr. GUEVREMONT moved it be read a third time.

Hon. Mr. LETELLIER DE ST. JUST called the attention of the Government to the extraordinary demand of these people, not a Company either, for leave to create works to impede navigation to a certain extent, on one of the important channels of the St. Lawrence. These booms would prevent the passage of small craft. We should not concede such a privilege without exacting permission to all navigators to pass when they wanted. In this case we were asked to give up a public right for the benefit of a private interest.

Hon. Mr. OLIVIER said the inhabitants of the district, formerly opposed to this bill, had requested him not to impede it, as they wished for its object. The channel was navigable only by canoes and small scows, and used only by the inhabitants of the place. There was nothing in the bill to injure the public interest.

Hon. Mr. LETELLIER DE ST. JUST replied that the farmers had changed their minds on the subject, because they anticipated the erection of saw-mills, and other advantages, if the bill passed; and other infractions of public rights would flow from this bill, including, perhaps the erection of a bridge (below the booms) across the channel, after it had been injured. If the booms were simply to secure timber, and not to obstruct the navigation, he would not object. As regards these applicants, it was only a question of cost. A little more expenditure would provide them with works not obnoxious on public grounds.

Hon. Mr. CAMPBELL—What is the width of the channel there?

Hon. Mr. LETELLIER DE ST. JUST—Two or three hundred feet. The channel was a fine one for small craft. Suppose these people took only half of it, and left the other the deep part open to the public?

Hon. Mr. OLIVIER said this was one of the channels of the St. Lawrence, between these two islands.

Hon. Mr. CAMPBELL—What is the

width of the other, or main channel of the St. Lawrence at that place?

Hon. Mr. GUEVREMONT—Between two and three miles.

Hon. Mr. CAMPBELL said the question was not as if it was proposed to obstruct the river by its only or main avenue. The channel to be boomed was only four feet deep and 200 wide, so that the St. Lawrence navigation would not be obstructed. But the scheme or plan had to be submitted to the Governor-General, and approved by the Minister of Public Works, who would not sanction any measure likely to interfere with the navigation. The Ottawa was boomed in a number of places by joint stock companies. The booms were opened to let vessels pass. The booms in question might be worked to let vessels through, no doubt.

Hon. Mr. LETELLIER DE ST. JUST—The bill did not provide for that.

Hon. Mr. CAMPBELL—Here the booms were across the whole Ottawa River, while those proposed would cross a channel of but 200 feet, beyond which was one a couple of miles in breadth. He saw no danger in this bill, particularly as the Minister of Public Works had to see it before anything was done.

Hon. Mr. SKEAD said there was this difference in the cases. The applicants for these booms would have the exclusive right to them, while every person could use the Ottawa on paying a toll. The same principle might be applied here, and the parties would get a percentage on their outlay. He disliked the bill in its present shape.

Hon. Mr. GUEVREMONT said there were errors in the bill which could be amended in committee, and other parties than the applicants might be allowed the use of the channel to be boomed. Nobody now used it, and this bill could not occasion any public inconvenience. A far better channel, ample for all public purposes existed to the other side of the Islands. He thought the bill should be sent to committee.

Hon. Mr. BUREAU said he had no special objection to the bill, but disapproved of granting exclusive privileges to any parties. This privilege might be granted, however, in condition that the navigation, on the public interest should thereby receive no injury. He pointed out possible inconveniences from interfering with the St. Lawrence navigation, including offence to the Americans, now at liberty to use it for trade.

Hon. Mr. CAMPBELL considered the Bill might be granted without danger.

Hon. Mr. ODELL thought there was a

good deal in the hon. gentleman's (Mr. Letellier De St. Just's) objections. In his part of the country they had had experience of the inconveniences attending privileges of this kind. He had long been opposed to giving private individuals control of any channel of navigation.

After considerable further discussion, in which Hon. Messrs. Ferrier, Letellier De St. Just, Campbell, Carrall, Odell, Reesor, Wilmot and Guevremont took part, the Bill, on motion of the latter member, was recommitted to the Private Bills Committee for amendment.

Hon. Mr. FERRIER moved concurrence in an amendment made in the Committee on Banking, Commerce and Railways, to the Bill to enable the Buffalo & Lake Huron Railway Company to make arrangements respecting their bonded debt. Carried.

On motion of Hon. Mr. MACPHERSON a bill, reported from the same Committee, to incorporate the Insurance Company of Canada, was read a third time as amended.

#### A PROHIBITORY LIQUOR LAW.

Hon. Mr. VIDAL presented and read the report of the Select Committee to whom were referred the petitions for a law against the manufacture and sale of intoxicating liquors in the Dominion. It appeared from it that 447 petitions, representing 36 000 persons, including the Ontario Legislature, had been received. The signers belonged to all classes, professions and denominations. The report stated intemperance was spreading, mainly through the sale of these liquors and that the results were the greater portion of the crime committed, poverty, sickness and insanity. The report was in favor of prohibition.

Hon. Mr. VIDAL then moved the adoption of the report, seconded by Hon. Mr. CHRISIE, and suggested that 1,500 copies be printed in French and 3,500 in English for distribution. He said it was under the advice of the other members of the Committee that he made this suggestion.

Hon. Mr. CAMPBELL said he imagined the chairman of this committee did not propose to have it understood that this House, or any of the members of it, were to be at all committed to the Bill he suggested in the concluding part of the report.

Hon. Mr. VIDAL—Of course not.

Hon. Mr. LETELLIER DE ST. JUST—The adoption of the motion would amount to that.

Hon. Mr. CAMPBELL explained that when a committee was appointed to draft a bill, it was understood its principle was

assented to. Hon. gentlemen might be very much impressed with the evils springing from over indulgence in intoxicating liquors, while not able to coincide in the suggestion that their manufacture and sale should be prohibited. Again, if a bill were proposed next year, it could not originate with this committee, but with the Government, by means of resolutions in another place. While sympathising with the views of the committee, he wished to guard himself and hon. members against committing themselves to a bill on the subject. He recommended some verbal alterations in the concluding paragraph of the report, which, while meeting the chairman's object of publicity, should save the House from committing itself on this question.

Hon. Mr. LETELLIER DE ST. JUST agreed with the Postmaster General's remarks. He believed the recommendation of prohibition amounted to nothing. The result of a prohibitory law would be simply to increase the price of liquors to the poor man and everybody else. In the States this was the case, as all knew who had travelled in them. We should have as much drinking as before, with a higher charge to the consumer and a decreased revenue.

Hon. Mr. CARRALL ridiculed the notion of making men virtuous by Act of Parliament. Prohibition in the States was a farce, while as regards the Indians, it was most mischievous in enabling a miserable class of wretches to do a business with them in "benzine" and poisonous rubbish which set them mad. (Hear, hear and laughter.) The Indian would suffer less in the North West, if permitted to go to a bar and obtain good liquor.

After some further discussion, on Mr. Letellier de St. Just's objections to altering a Senate document, in which Messrs. Ferrier, Vidal, Campbell and Letellier participated, and also as to the proper course in dealing with the report,

Hon. Mr. VIDAL, having altered the last paragraph, moved the report be received and referred to the Printing Committee.—Carried.

#### THIRD READINGS.

The following Bills, reported from the Committee on Banking and Commerce, were read a third time:

Act for granting certain powers to the Montreal, Chambly and Sorel Railway Co.—Hon. Mr. Guevremont,

Act to incorporate the Glasgow Canadian Land and Trust Co., (limited), Hon. Mr.

FERRIER. The mover said, as the head quarters of the Company were in Glasgow, it was thought necessary by the Committee that a statement should be made to Parliament once a year showing the amount of capital, property here, and the operations generally. Consequently the amendment introduced aimed at those objects—Passed as amended.

Act to incorporate the Canada Car Manufacturing Co.—Hon. Mr. Hamilton, of Kingston

To incorporate the Canada Paper Co.—Hon. Mr. Ryan.

#### THE GOLDSMITHS' BILL.

Hon. Mr. McMASTER rose to move a resolution with regard to the bill which the Banking and Commerce Committee objected to on the ground of the preamble not having been proved. Now several bills with similar provisions had been passed, and the promoters of this one felt aggrieved, imagining they had been unjustly dealt with. He was sure it was not the desire of any hon. gentleman to adopt any course calculated to create such a feeling; and with a view to dispel it, he moved that the rule requiring notice, be suspended, and bill 86, the goldsmiths' Act (of Canada) be referred back to the Committee on Banking and Commerce, with a view to its re-consideration.

Hon. Mr. CAMPBELL said that although the course proposed was unusual, it was one the House might, under the circumstances, be inclined to take. He was quite sure that hon. gentleman rightly interpreted the feeling of the House in saying no member desired to act exceptionally in this matter. The House, no doubt, would accord every facility to bring and amend this measure before the committee, reserving its right of action respecting it, at a future stage. Motion carried.

#### RAILROAD TIME REPORTS.

On the order for the consideration of the amendments to the railway companies increased traffic accommodation bill,

Hon. Mr. OLIVIER said he could not accept the amendments reported by the Committee on Banking and Commerce, and would move the bill be referred back with instruction to amend the amendments by restoring the penalty imposed by the bill. The amendments had destroyed the virtue of the bill, instead of improving it. The bill was designed to amend an Act on the statute book, requiring the railway officials at stations to put up a notice whenever a train was overdue for more than half an hour. The provisions of this statute were quite illusory.

Nobody who had suffered from an hour or two's delay ever would bring an action for damages in accordance therewith. So the new bill proposed a remedy—recourse against the station master, or other official, for punishment, in case of neglecting to give this information as to late trains to the public. Instead of action against the Company, we proposed to enable any man to sue and recover damages from those offending parties in the circuit court, or before any Justice of the Peace. While the maximum was \$20, judgment could be given for fifty or ten cents.

Hon. Mr. FERRIER said the Judge might give \$20 damages also.

Honorable Mr. OLIVIER said it was left to the discretion of the court, which would no doubt always act reasonably. If the House concurred in the committee's amendments, he would rather let the bill drop. The inconvenience and annoyance occasioned by train delays, and the denial of information regarding them had been often experienced by himself and others. Nobody at a distance from Montreal would go there to sue the company, while, if an action lay against a station master in a local court, the public would avail themselves of the remedy.

Hon. Mr. MACPHERSON said the committee gave this bill a great deal of consideration, and felt the necessity of some such regulations as were provided by it, or by the bill to which this was an amendment. He believed the Act on the statute book had not been complied with generally. He understood, however that the authorities of the Grand Trunk, Great Western and Prescott and Ottawa Railways declared that henceforth its provisions would be strictly carried out. The committee objected to a penalty for two reasons—first, because they did not think a penalty should be exacted at present, and chiefly because the clause, as it stood, provided that the penalty should go to the informer. It was felt it would be very objectionable to allow persons about a railway station, unconcerned and suffering no inconvenience or loss, but merely loitering about, probably to see whether the law was strictly complied with, to the minute or second, to bring an action against a company, and pocket the penalty. For that reason the clause was struck out, and, he was inclined to think, wisely. But, should it be proved, next session, that the Act had not been strictly complied with, he would support an amendment.

Hon. Mr. CAMPBELL—On whom is the penalty to be imposed?



Hon. Mr. FERRIER—The company.

Hon. Mr. OLIVIER—The company and the station-master.

Hon. Mr. MACPHERSON said that if the railways neglected this duty, he should support some plan, next session, compelling them to put up information for the public.

Hon. Mr. FERRIER advocated the retention of the amendment just made. It would explain the law and the companies' obligations for the future. He assured the House they were disposed to give all the information hereafter, that any traveller or any individual whatever could desire. The bill as now amended required the hoisting of a black-board on the outside of the station-house, over the platform, in some conspicuous place at each station at which there was a telegraph office, and when any passenger train was overdue for half an hour it should be the duty of the master or person in charge to write or cause to be written with white chalk, a notice in English and French, stating to the best of his knowledge and belief the time when such train may be expected, and if when the time had come, she had not arrived, a fresh notice should be written stating when she was expected to arrive, the Company to be liable to an action by any passenger awaiting the train at such station for any neglect or omission of duty, in which action full costs of the suit might be recovered. A printed copy of this section of the Act was to be put up in a conspicuous place at each station at which there was a telegraph office. He argued this provision would secure all the information desirable, and protested against the imposition of a penalty on railways any more than steamboats or other carriers of passengers. Such a law would place railways at the mercy of any loungee about a railway station.

Hon. Mr. CAMPBELL said the Courts could make the penalties very low in certain cases.

Hon. Mr. FERRIER urged a trial of the law at any rate. If bad, it could be amended next session. Why render a railway punishable for a few seconds' or minutes' neglect on the part of an official, to put up a notice?

Hon. Mr. LETELLIER DE ST. JUST, disclaiming any intention of making captious complaints, stated he could not remember an instance, within his own experience, of a notice having been put up for the information of the public. He had experienced frequent delays—having to wait for days at a station—and knew the people suffered greatly from these failures. Railways having received great assistance

from the country, should discharge their duties towards it, and pay the penalty of neglect or incompetency. He replied to the observations of Mr. Ferrier, contending that there was no danger of injustice or serious injury to the railways from the penalty now proposed. The discretion of the courts and public opinion affecting informers, constituted a sufficient protection. The clause, however, might be amended, to make the maximum penalty \$10, and allow the magistrate to decide where the money should go, instead of giving it to the informer. (Hear, hear.)

Hon. Mr. CAMPBELL said the motion of the honorable gentleman (Mr. Olivier) could hardly be adopted according to the rules. He might move to refer the Bill back to the committee for reconsideration, without specifying in what direction it should be amended. He did not think the matter of great moment either way at present. If neglect resulted from the Bill as it stood, Parliament could apply a remedy next year; but he apprehended the Act would be obeyed, and no action for penalty instituted. On the other hand, he did not think railway companies should object to a reasonable penalty, particularly if it did not go to the informer. If they were going to obey the Bill there could be no suits or informers either; if, however, they did not obey, there ought to be a penalty on somebody. It should not go to anybody who might seek to make money out of such prosecutions. There was a difference between railways and steamboats, which had not the same facilities for reaching telegraph stations, and whose delays did not inconvenience the public to the same extent as those of trains.

Hon. Mr. REESOR argued that where there was a duty prescribed there should be a penalty provided for its non-fulfilment. In his own part of the country the people had suffered greatly from illegal charges on railway freight, exceeding the statute limit 20 and 25 per cent. There should be punishment for such offences.

After some remarks by Messrs. Read, Ferrier and McMaster, the latter in opposition to the proposed penalties,

Hon. Mr. FLINT referred to the hardships of the present system, with its frequent delays, and failure to supply information. He thought an improvement was needed, and that penalties ought to be levied, though not for the benefit of the informer.

Hon. Mr. OLIVIER replied, remarking that the public had suffered much from the negligence of railway employees. The bill was designed to punish employees

themselves if they omitted doing their duty, and not the companies. But he was ready to accept the suggestion of the Hon. Postmaster General, and move the reference of this bill back to the committee for reconsideration. Carried.

Hon. Mr. CAMPBELL moved the postponement of the remaining orders of the day till to-morrow, and the adjournment of the House. Carried.

THURSDAY, May 15.

The Speaker took the chair at three o'clock.

After routine,

The following bills were reported from the Banking and Commerce Committee:—

Act to Incorporate the Dominion Express Co. Read a third time.

Act to amend the Act 34 Vic., and the Act of 1864, respecting railways, with amendments.

On the suggestion of Hon. Mr. CAMPBELL,

Hon. Mr. OLIVIER moved the consideration of the amendments to-morrow. Carried.

Act to Incorporate the Canadian Metal Incorporation Co., with amendments.—Consideration to-morrow.

Hon. Mr. CHRISTIE moved the following resolution:—

That it is expedient that Parliament should be summoned for the despatch of business on some day not later than the 1st of February in each year; and

That an humble address be presented to His Excellency the Governor General, for the purpose of communicating the foregoing resolution.

The mover said he was induced to bring up this question from the inconvenience of late sessions of Parliament, complained of by so many members. He acted, moreover, in corroboration of the action of the House of Commons on Monday last, which resolved unanimously that Parliament should meet not later than the 1st February. It seemed becoming the Senate also should express an independent opinion on this important matter. He need not make any further remarks. All had suffered from these late sittings, and absence from home at this time of the year.

Hon. Mr. CAMPBELL agreed to the motion, which he thought proper and desirable. No doubt the House would accept it. Carried.

Hon. Mr. FERRIER moved the third reading of the Buffalo and Lake Huron Railway Company's Bond Debt Bill, as amended. Carried.

#### DECK LOADS.

On motion of Hon. Mr. CAMPBELL, the House went into Committee of the Whole on the Deck Loads Regulation Bill.

Hon. Mr. WARK said he supposed the bill had been carefully examined elsewhere, but the subject was one very difficult to legislate upon, in order to do justice to ships of various sizes. The deck load was not to exceed three feet on ships sailing for Europe from any port in Canada. Now, if three feet was not too much for a ship of 100 tons, certainly a ship of 1000 tons ought to be able to carry a great deal more. It depended upon the build of a ship what she could carry on deck. The bill proposed to legislate for foreign ships as well as our own. It was worth considering how far that might not lead to difficulties with foreign countries. Here was an extraordinary feature of the bill: If a ship-master violated this law in certain cases, it was provided he was guilty of misdemeanor and liable to be punished by imprisonment not exceeding two years, or by a fine of \$800, or by both imprisonment and fine. The remarkable provision was that an order might be summarily made, while the ship-master, who might be a foreigner, unacquainted with our laws, was in prison, for the sale of his vessel, for the payment of the penalty. Perhaps the sale might take place in some of the smaller ports, not affording a good market, and the property sacrificed. It might be sufficient to levy, for a fine or small sum, on something about or belonging to the ship, which could be sold without disposing of all the property. This bill would apply very unequally to ships. There might be three in the harbor, one going to the British West Indies, which could take only the deck load here prescribed; another to the States, she could take as much cargo as she pleased on deck, and a third, bound for South America, could do the same. Altogether he doubted very much the expediency of passing this measure. (Hear, hear.)

Hon. Mr. CAMPBELL admitted there was great force in some of these objections. It did seem a provision somewhat strong to authorize the seizure of a ship and her sale for a fine which might be discharged by the sale of a portion of her appurtenances, her rigging or boats. He thought the first part of the bill applied to vessels going to Europe as well as to the West Indies. There must be some reason for drawing a distinction between vessels sailing to the West Indies and vessels proceeding to Southern ports of this conti-

ment. He understood there was some jealousy of the privileges allowed American ships trading to the West Indies and South America felt in St. John and other Canadian ports. Our people imagined they should not suffer from restrictions from which their American rivals were free. He saw objectionable features in the bill, and would not ask the committee to do more than report progress at present, that he might have an opportunity of consulting with the Minister of Marine on the subject. He would simply ask consent to the clauses to which there was no objection.

Hon. Mr. KAULBACK said although this bill had received very grave consideration in another branch of the Legislature, it would so largely affect the trade of the Maritime Provinces, that he thought it should be carefully looked into here. He would, therefore, say a few words on the subject. It appeared as if the bill had been prompted by the great loss of life and property in the trade between the St. Lawrence ports and those of Great Britain. This reason, however, did not apply to the trade between the Lower Provinces and the West Indies. Therefore he did not see why they should be included in the clause specially appropriate to the circumstances of the St. Lawrence. The trade of New Brunswick and Nova Scotia with the West Indies, was less perilous than almost any other known. In fact, we very seldom lose in it either life or property. Vessels leaving Nova Scotia at any time of the year, in a day and a half or two days got into the gulf stream, and a warmer latitude. This principle of the bill, then, was injudicious in itself, and incompetent to meet the case. A more rigid system of inspection for the security of life, would be better than this clause, which prevented a vessel carrying more than four and a half feet of a deck load. We had many vessels that without such a load would be unseaworthy. He admitted there were very few in the trade in question that carried more than four and a half feet, so this provision would hardly restrict the trade between Nova Scotia and the West Indies. With us, in Nova Scotia, vessels were considered safer with than without deck loads. Many vessels of flat bottom and broad beam did not steer so well without as with a deck load. So much depended upon the construction of the vessel and the character and weight of the cargo in the hold that it appeared to him Parliament could hardly make a law that would govern all cases. They might reduce the penalty. The Bill would not reduce the

Nova Scotia trade with the West Indies much, for very few of their vessels carried more than the limit of cargo prescribed. Traders with Brazil, however, carried larger loads. He would be glad of its application to that trade. The United States placed no such restrictions on their carrying trade. He did not think the principle of the bill a good one, and so far as the Maritime Provinces were concerned, a system of inspection would answer best.

Hon. Mr. WILMOT said a similar law imposing restrictions on New Brunswick shipping some years ago, had been, on the one hand, evaded to a certain extent, and on the other an injury, by throwing the carrying trade into the hands of foreigners. He thought this bill should be left over for a year to elicit the opinions of Boards of Trade in the Maritime Provinces.

Hon. Mr. McCLELAN said so far as his experience went he thought the bill inadvisable. He also preferred awaiting an expression of mercantile opinion on the subject by residents of the Lower Provinces deeply interested. There had been some representations from the St. John Board of Trade adverse to restrictions in the matter of deck loads. It was very difficult to define what constituted a proper deck load. The size of the ship, her model, the character of her cargo, and nature of the voyage were very important considerations in determining this question. He had not known, within his experience, any loss of life or property definitely traceable to a very heavy deck load, while he did know some vessels were unsafe without deck loads. He recommended the postponement of the bill for a year.

Hon. Mr. CAMPBELL said he would consult the Minister of Marine, but the bill seemed to have received the very general assent of persons engaged in the shipping trade, sitting in the other branch. He knew, also, that representations in favor of the bill had been received from some of the Boards of Trade of the Maritime Provinces.

A number of the clauses of the bill having been agreed to,

On motion of Hon. Mr. CAMPBELL, the Committee rose, reported progress, and asked leave to sit again.

#### WEST INDIES LINE.

The bill to incorporate the West India Royal Mail Steamship Company was reported from committee with amendments.

Hon. Mr. FERRIER explained them, one being to provide for the control of the management of the company being retained in Canadian hands. He moved the

amendments be concurred in, and the bill read a third time. Carried.

On motion of Hon. Mr. AIKINS, the Weights and Measures Bill, reported from Committee, was read a third time.

Hon. Mr. ODELL submitted the report of the Joint Committee on the Library, and explained its principal features, including a recommendation of the collection of manuscripts and documents bearing upon early Canadian history, and the increase of the pay of officers of the library. The hon. gentleman said if the report was adopted he would move that its recommendations be approved, in reference to the increase of salaries therein mentioned.

Hon. Mr. CAMPBELL suggested a different form of motion, embracing a schedule containing the recommendations in detail, as the statute required. He thought no objection would be taken to the substance of the motion.

Hon. Mr. ODELL said a similar report had been adopted in the Commons, without question.

In accordance with the Postmaster-General's suggestion, the motion was left over for the preparation of a schedule in the desired form.

On motion of Hon. Mr. CAMPBELL the Procedure in Criminal Cases Law Amendment Bill was referred to Committee of the Whole, reported and read a third time.

Hon. Mr. FERRIER moved the second reading of the Lachine Hydraulic Works Company Bill. He said the corporators were owners of real estate along the Rapids whose immense water power they designed to utilize for manufacturing purposes. He thought this a desirable object. These parties now wanted to do what they had opposed private parties doing for the last five or six years; being owners of the land they thought themselves best entitled to the profits of such an enterprise. If carried out he had no doubt in twenty years a city would have sprung up in the vicinity of this enormous water power.

Hon. Mr. RYAN desired that a petition against this Bill from one of the owners of the real estate mentioned, should be referred to the committee with the Bill. This proprietor opposed the scheme on public as well as private grounds.

Hon. Mr. FERRIER moved that all petitions against the Bill be referred to the Committee. Carried.

Hon. Mr. RYAN moved the second reading of the Merchants' Warehousing Company Bill—Hon. Mr. HAMILTON, of Kingston—Carried.

Hon. Mr. CAMPBELL moved the second reading of the Railways Act Amendment Bill. He explained it was intended to empower companies to build snow fences during the winter and remove them in spring, and side lines or branches, not exceeding six miles in length, with certain restrictions as to notice that should previously be given. Carried.

In the absence of Hon. Mr. SEYMOUR, Hon. Mr. MACPHERSON moved the consideration of the third report of the Select Committee on Contingent Accounts. He said it required little explanation. He thought the schedule submitted would meet with the same measure of approval in the House it received in the committee. The sub-committee to whom it was referred were unanimous in reporting this schedule to the General Committee, which were also unanimous in adopting it.

Hon. Mr. CHAUVEAU made certain suggestions with respect to some of the official staff, upon which a conversational discussion arose.

At length, as it appeared the general opinion that the committee had fairly considered all claims, the motion for adoption was agreed to.

Hon. Mr. RYAN moved the second reading of the Canada Investment and Guarantee Agency Bill. Carried.

On motion of Hon. Mr. CAMPBELL, the House then adjourned.

FRIDAY, May 16, 1873.

The SPEAKER took the chair at 3 o'clock.

#### THE COPYRIGHT QUESTION.

Hon. Mr. RYAN said—I should perhaps apologize to the House for having delayed so long the motion which stands on the paper in my name. In explanation of the delay, I may state that it was hoped that before this, some satisfactory despatch on the subject of the Copyright Bill, which was sent home last year to the Imperial authorities, would have been received. I don't know whether any such has come to hand, but I am afraid that no information on this matter has reached this country. As my remarks will be somewhat qualified by the answer to an enquiry on the subjects which I shall put, I wish the Hon. Postmaster General to state whether anything has been received from England on the subject of copyright.

Hon. Mr. CAMPBELL—Nothing.

Hon. Mr. RYAN—I regret exceedingly, and I think the House will also, when I

explain the nature of this measure, that so little attention has been paid to the action of the Legislature of this country. In order to explain the object I wished to attain, I shall refer to my original motion, of so far back as 1868. "That an humble address be presented to His Excellency the Governor General praying him to impress on Her Majesty's Government the justice and expediency of extending the privileges of the Act 9th and 10th Vic., to Canada, so that whenever reasonable provision and protection shall, in Her Majesty's opinion be secured to authors, colonial reprints of British copyright works shall be placed on the same footing in Canada, as foreign reprints, by which means British authors may be more protected in their rights and interests, and benefits may be conferred on the printing industry of the Dominion." Since that time an address to the Governor General on the same subject from the Senate has been annually voted. Not only has the general approval of the Senate thereto been obtained, but that of Her Majesty's Government in Canada, so that great hopes have been entertained that something would be done for the advantage of the printing trade. Well, the result of repeated representations from the Senate was the passing of an Act, last year, to amend the Act respecting copyrights. The preamble declares its object to be the making of a provision for securing and protecting, in Canada, the rights of authors in works wherein the copyright is subsisting in Great Britain, and, at the same time to extend to printers in this country the same privileges now granted to foreigners, that is printers in the United States. This was considered so desirable an object that, after waiting the action of the Imperial Legislature for some years, the Government of Canada, taking, I think, a proper view of the matter, introduced more than a year ago, the Act I hold in my hand. But, owing to some doubt as to the jurisdiction of this Parliament to legislate on the subject of copyright, by the advice of Ministers here, this Act was reserved for Her Majesty's consideration and assent. Well, I think hon. gentlemen will admit that time enough has been given for a decision on this question by Her Majesty's advisers in England, whether they will recommend assent to this bill or not. At the commencement of the session, in answer to my question as to whether the Act had been assented to or dissented from, the hon. gentleman (Mr. Campbell) informed me that no informa-

tion had been received on the subject, and he states the same thing to-day. No despatch has come; no notice, apparently, of the bill has been taken. I hardly think that is treating the Government of this country with the respect which it might look for at the hands of the Imperial Government. In the bill every means is provided for securing British authors more than they at present receive from the duty on reprints of copyrights, from the United States, which is so badly collected on that frontier. But until it receives Her Majesty's assent, it remains a dead letter. I hope the address to His Excellency, which I am now going to propose, will induce our Government to be more active and energetic in urging this matter upon the Imperial Government, and will have the effect of calling forth a decision as to whether this bill is to come into force or not. I believe the great difficulty which it has met on the other side, is the adverse influence of certain wealthy publishers, whose interests are not at all at one with the authors of Great Britain. I believe these authors sympathise with this bill and are anxious it should become of effect. But the publishers, who are a very wealthy and powerful body, exercise a strong influence against this measure, because it would deprive them of their monopoly, and diminish their profits to the advantage of Canadian printers. This is a view of the subject with which, of course, we can have no sympathy. But, again, it was urged I believe by these influential parties that the passing of this bill might interfere with the prospects of an International Copyright Law between England and the United States. Well, I hold in my hand a document which, I think, will satisfy these publishers and this House, that there is very little prospect of any such law. The document I shall cite is the report of Senator Morrill, of Maine, dated Feb. 22nd, 1873, from the Joint Committee on the library, to whom was referred the resolution, directing them to enquire into the practicability of securing to authors the benefit of International Copyright. This is the conclusion arrived at: "In view of the whole case your committee are satisfied that no form of International copyright can fairly be urged upon Congress, upon reasons of general equity, or of constitutional law; that the adoption of any plan for the purpose, which has been laid before us, would be of very doubtful advantage to American authors as a class and would be not only an unquestionable and permanent injury to the manufacturing interests concerned in producing books, but a hinderance to

the diffusion of knowledge among the people, and the cause of universal education, that no plan for the protection of foreign authors has yet been devised which can unite the support of all or nearly all who profess to be favorable to the general object in view, and that, in the opinion of your committee, any project for an international copyright will be found, upon mature deliberation, to be inexpedient." I think this report does not hold out much hope of an International Copyright Law. I also consider this policy unwise and ill-judged on the part of the United States, but there stands the report. I need not again prove how beneficial this bill would be to the printing industry of Canada, the Senate having already manifested its belief in the doctrine, but shall merely contrast the apathy of those who should have looked after the fate of this bill with the great energy and activity displayed in the United States, to secure to themselves the benefits arising from large printing establishments in their country. Mr. Lovell had set up a press at Rouse's Point, as an experiment, but he has now determined, owing to the inducements held out to him by the Government of New York, upon moving his establishment, with its 500 hands, from Montreal to that place during the present summer. He was prompted to do so in the first instance by the difficulties in the way of reprinting British copyright books in Canada. They can be printed conveniently, without any infraction of the law, in the United States, and imported into Canada from that country. I shall now direct your attention to the report of a public meeting held at Rouse's Point, on the 5th February last, to take into consideration the establishment of an extensive printing and publishing concern in that village. The following resolution was unanimously passed: Resolved, That this meeting is in favor of exempting Mr. Lovell's printing and publishing business, and the buildings connected therewith from taxation for a term of ten years. Resolved, That a committee of five be appointed by the chair to draft and circulate a petition to the Legislature in furtherance of the foregoing resolution. It was further resolved, That we wait with much satisfaction the expected advent of Mr. John Lovell in the capacity of a citizen and man of business in this village, and we pledge ourselves to do all in our power to aid him in his enterprise. The petition was presented, with good success, at Albany. I am further informed an act has been passed by the Legislature of New York,

granting the privilege to Mr. Lovell, never previously extended to any foreigner, not only of acquiring real estate in the State of New York, but disposing of it whenever he wishes. Thus, while great efforts have been made to induce Canadians to establish themselves in that State, as well as in others, I am sorry it has not been thought proper to push this copyright measure with more energy, and to ascertain its fate, from the other side the Atlantic. I believe it would have in a great measure secured to us the continuance in Montreal of the 500 persons who are likely to leave it with Mr. Lovell, and who, of course, are useful citizens. I regret the Imperial Government have not been called upon to declare what their policy in the matter is to be. I hope that for the future more interest in this matter will be displayed; for I believe it is not for want of sympathy with this cause that our Government have been at all supine. It is either from the subject dying out of their minds, or in some way being superseded by other matters. But I hope now, that I have ventured to revive it, that efforts may be made to bring the Imperial Government to some decision. I trust this will be obtained soon, and with this object I will submit my motion, which I beg leave to amend slightly, adding after the figures 1872, "up to the close of the present session."

"That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before this House copies of all correspondence with the Imperial Government, or with any person or persons, since the 31st March, 1872, up to the close of the present session, in relation to copyright and the reprinting of British copyright works in Canada."

As it is rumored we shall soon be adjourned, I ask that before Parliament is prorogued, probably two months hence, we may be favored with some despatches, or some authoritative information from England on this question; I wish for notice of the matter on the part of the Imperial Government, so that members may know its opinion and decision. (Cheers.)

Hon. Mr. CAMPBELL said this House has again and again recognized the importance of this subject, and almost always upon the suggestion or motion of my hon. friend (Mr. Ryan), who has brought this matter under our notice from time to time. I may say, so far as we are concerned, that everything that could reasonably have been expected has been done by the Government. When

the subject was brought up originally, as well as subsequently, communications were had with the Imperial Government, in the hope that they would take proceedings that would result in our attaining the end he has in view. For a time the answers given were that the Imperial Government were constantly expecting to be able to arrange an international copyright system with the United States, and therefore it was deemed best not to legislate or interfere in any way calculated to defeat or impede that result. When this result appeared to be becoming more and more unlikely, however, communications with the home government were again tried, and we were expecting legislation with the best fruits. This hope was disappointed once more, and then a bill was passed here in Canada. There was some doubt as to its quality and the view that might be taken of it in England, but it seemed the most likely means of procuring a definite answer from the Government there. The Bill therefore was reserved, and went to England in the usual way. My honorable friend is mistaken in thinking this Government did not call attention to that measure, and to the advantage which would result to this country from its receiving the Royal assent. Communications, though not official, were had, personally, by a gentleman in London who takes a great interest in this subject, with the proper authorities in England, in order to an answer or a decision on the matter. Ultimately an official despatch was sent home to secure some definite action on the part of the Imperial Government, but no effect has followed so far. I understand, however, that that Government has under consideration a Bill which should it pass this session, will effect the object we in Canada wish. Although I look upon the Bill which I have seen as complicated, and perhaps not the kind we should most desire, yet if acted upon in the spirit which we expect, it will accomplish our object. I am as sorry as my honorable friend can be that these delays should have resulted in prompting the transfer of the large business of Mr. Lovell from Montreal to the United States; but I do not think they have offered him any particular encouragement at Roué's Point. The United States Government have certainly presented none; only the residents of the village have; they have submitted a petition to the Legislature of New York, praying that his business there, his buildings, type, and so forth, may not be taxed. We in this country sometimes exempt new manufacturing establishments from taxation in the same way.

Hon. Mr. RYAN said more had been done. The Legislature had acted.

Hon. Mr. CAMPBELL, dissenting, said— I am not aware that the New York Legislature has passed any bill to relieve Mr. Lovell's establishment from taxation.

Hon. Mr. RYAN—He assures me it has.

Hon. Mr. CAMPBELL— Well, it may be, as the hon. gentleman says so; still I can not but mistrust his information. I think it will be found there is some mistake. I conceive the Legislature has not. As to allowing Mr. Lovell to buy or sell real estate, that is no special encouragement. Any person desiring to be a citizen can buy or sell.

Hon. Mr. RYAN—But Mr. Lovell does not want to become a citizen.

Hon. Mr. CAMPBELL— At any rate I contend the hon. gentleman has not established the contrast he desired between what he calls the active encouragement given Mr. Lovell by the Americans, and our supposed indifference. We have not exhibited any such mood. I am sorry Mr. Lovell's industry should be lost to the country, and hope it is only for a time. The Government has been in no way lax in doing its utmost, for the accomplishment of the end in view. One cannot keep urging upon the Imperial Government the necessity of acting in a particular matter. The law gives it two years for assenting to or dissenting from such bills. It is impossible to urge it as one business man would urge another. The Canadian Government has done everything reasonable to reach the object which my hon. friend has at heart, and which he has so usefully, zealously, and with such good result, so far labored to achieve. I am confident that any ultimate success will be due very much to his action, and success, I hope, will be attained at an early day. I cordially concur in the address, with this stipulation, it must rest with the Government to say how far the despatch which may come between now and the time to which the motion alludes, can be properly brought down. I apprehend it will be such as can be produced to Parliament. [Cheers].

Hon. Mr. BUREAU said that the hon. gentleman from Victoria (Mr. Ryan) certainly merited the sympathy and gratitude of the House for his part on this question throughout. He (Mr. Bureau) understood perfectly the difficulty in the way of dealing with it. The Imperial Government having granted certain rights or privileges to authors for a number of years, could not make away with them, or diminish their value, without compensation to the

parties suffering. Those rights were like any other kind of property, entitled to respect and protection. He thought, therefore, there was only one course open to the Imperial Government, namely, to give notice to authors that after a certain time the law should be amended, and their claims fairly considered. The Imperial Parliament could not legislate on this subject unless they settled the question of property, and defined authors' rights. He believed we could never obtain legislation on this subject until this important preliminary was disposed of. The only way was for the Government to put itself in communication with the authors, and obtain their consent. He believed that if the Colonial Minister wished to give us what the hon. mover (Mr. Ryan) desired, the matter could, in such a way, be easily arranged, and with benefit to authors themselves. We should thus enjoy more fully the advantages of English literature, which was better and purer than that of some other countries. It would be very useful to Canada to have this proposed copyright system, which would encourage our printing trade, and employ a larger number of workers. He was happy to support this address, which was a step in the right direction. (Hear, hear.)

Hon. Mr. KEESOR said this was a question of great importance, and the member for Victoria (Hon. Mr. Ryan) deserved the thanks not only of the Senate, but the whole country, for his efforts in regard to it. Not only was it important that a large firm was leaving Montreal for the States, and that many Canadians were going thither from other cities also, but that manufacturing industries of this kind should be protected, to attract strangers, as well as retain our own people. The policy of the British publishers seemed to be a dog-in-the-manger one. They did not prevent, to the extent of a single copy, the reprint of their works, which was effected in the United States; the circulated throughout Canada, to as great an extent as though our own people reprinted them. What was asked was to place us in this country on the same footing as the people of the United States, and that after the lapse of a certain length of time, if nothing could be accomplished towards a mutual agreement, that we exercise the power now desired, and let the Imperial Government act afterwards. It was now five years since the hon. gentleman first brought the subject before the Senate, and on every occasion since, as well as then, he had been sustained. He (Hon. Mr. Reesor)

thought, therefore, it was high time some report appeared, particularly as on every occasion, the proposals had received the sanction of the Government. Yet, since the passing of the bill, we had not received a word of correspondence on the subject. The Government did seem to have been somewhat remiss in the matter. The bill, being of much importance, he hoped something would at once be done to bring it into effect.

Hon. Mr. CARROLL did not think there was any use in saying much on the subject, since the Postmaster General had told the House he was anxious the bill should come into effect. He must express his admiration, however, of the pluck and pertinacity with which the hon. mover had stuck to his theme. It was true he had a grievance that affected the whole Dominion, and, equally, true, he had never relaxed his hold on the Government, and never failed to spur them on to action in this matter. No doubt the English publishers were log-rolling, and trying to prevent us from obtaining this privilege. They could ill-treat authors as well as American publishers. He remembered Bret Harte saying while here, that it was a most difficult thing to get on in England. He always thought American publishers stole literary matter, but found Englishmen stole too, and reprinted foreign works in their country. With regard to this address, he did not think the Government had pressed this matter with due earnestness and zeal. He would not say they were guilty of supineness or not, till the correspondence was published, but he thought more might have been done to attain the end in view. (Hear, hear.)

Motion for the address carried.

#### PRINTING.

Hon. Mr. SIMPSON submitted the fifth report of the Joint Committee on Printing, and explained its character. He stated the case of Mr. Taylor had been duly considered, and only such an increase of the rates for printing allowed him as was thought reasonable. It would have been highly injudicious to have broken with him in the middle of a session, as the country would have had to pay far more for the execution of the remaining work. His original tenders were very low, but when the price of labor and material rose one-third, it became impossible for him to go on with his contract. He would move the report be taken into consideration on Monday next.

Hon. Mr. WILMOT—What has been the effect of the transfer of the contract from



Hunter, Rose & Co., to Taylor? The first firm performed their work many years efficiently and economically.

Hon. Mr. SIMPSON—The contract of Hunter, Rose & Co. would have been about \$1,700 a year above that of Mr. Taylor. I think they too would have been obliged to come and ask for an advance on the contract rates. They petitioned for an advance in another place.

Hon. Mr. WILMOT—I am happy to learn that instead of the country losing money, it is saving money. (A laugh.)

Hon. Mr. SIMPSON then moved the adoption of the sixth report of the Joint Committee on Printing. Adopted.

Hon. Mr. ODELL presented the report of the Joint Committee on the Library. He said it had been altered, according to suggestion, merely to arrange the scale of the officers' salaries. He moved that it be resolved the report be adopted, and that the Senate approve the scale of salaries in the schedule recommended therein, of the several officers of the library. Carried.

Hon. Mr. CHINIC moved the second reading of the Quebec and Gulf Ports Steamship Company Bill. Carried

On the order for the consideration of the Goldsmiths' Company's Bill as amended by the Banking Committee,

Hon. Mr. CAMPBELL said the consideration of this report was deferred till today at his request. Although changes had been made in the bill, and no doubt improvements, he still thought it was not in a shape in which it ought to receive the assent of the House. He was very anxious as the mover (Mr. McMaster) was not in his place, not to say anything that should prejudice the bill, or do anything uncalled for under the circumstances.

Hon. Mr. LETELLIER DE ST. JUST said he had promised to take charge of the bill, which was to a certain extent remodelled in committee. One of the original objections was that the corporators were not men of sufficient capital. Since, however, men of wealth had joined them, and a new feature was added to the measure, namely, the manufacture of articles of jewellery. Another strong point was that some 25 per cent of the stock was to be paid, which was more than other companies had done. One obnoxious clause of the bill had been entirely removed. Other provisions of the bill were exactly the same as those of measures already passed this session. While approving of a general law or principle in regard to all these bills, he did not see why there should be an exception in this case at the end of the session. The telegrams hostile

to this bill were sent on the supposition that it stood as first presented, without all these amendments. It was within the limits of the general act, moreover.

Hon. Mr. CAMPBELL said the telegrams were sent by persons fully aware of the changes made in the bill. He had received information from Toronto and Montreal, in reply to telegrams, explaining the nature of those amendments, and had learned as to the standing of the corporators that no name at all entitled to consideration had been added to the original list, but that of Mr. Wilkes. The others named were in his employ. One of them failed a year ago largely indebted to Mr. Wilkes. He (Hon. Mr. Campbell), did not think, therefore, that the House should allow these parties to appropriate the name of the Goldsmiths' Company of Canada. That title was likely suggested with a view to deriving some sort of standing, such as the Goldsmiths' Company of London enjoyed from their name and style, which was two or three hundred years old. Nor did he think it fair to others engaged in the same trade, to grant this new company the facilities and advantages which the bill in its present shape would give. The telegrams opposing the bill came not simply from one or two individuals, but apparently from all parties engaged in this trade, including the leading firms in Montreal and Toronto. It was stated that this corporation would force its establishment on all the villages and towns of the country, coercing present traders into selling out their shops and taking stock therefor in the company, which was asking power to buy out any person, and this by threats of competition at their doors. He did not think people ought to be coerced in this way. It would not be advantageous to the country to create a monopoly of this kind. He believed no Bill so objectionable as this had been passed lately. The Paper Company's and similar Bills were to allow persons to manufacture, and buy and sell with that object, but this Bill was not for manufacturing, but merely for buying and selling watches and jewellery. He did not approve of the parties associated with Mr. Wilkes using this name, and suggested to the promoters of the Bill the adoption of some other.

Hon. Mr. LETELLIER DE ST. JUST said he had positive authoritative information as to the incorrectness of the honorable gentleman's remarks as to Mr. Young.

Hon. Mr. CAMPBELL replied that, setting this name aside, the Bill from beginning to end was one to incorporate Mr. Wilkes, his officers and servants, who

had no just claim to the privileges they asked. Why should men be incorporated merely to buy and sell such articles, when it was not intended to manufacture them?

Hon. Mr. READ thought the improvement of the Bill should have gone further. He was very glad of the stand the Postmaster General had taken in this case. (Hear, hear.)

Hon. Mr. LETELLIER DE ST. JUST denied the correctness of the statements touching the first four names in the bill. He argued that letters and telegrams of this kind from rivals in trade could not be depended upon in making out a case. Any company could buy out individual tradesmen as well as this, which, he asserted, was to be a manufacturing as well as a buying and selling corporation. This company stood in precisely the same position as the Paper Company, and others lately chartered. Why, then, make an offensive distinction between them? As to the name, he could see no real objection. There was no other company in Canada using this name. He would ask could the Goldsmiths' Company of England be affected by the use of this name here? The word Canadian sufficiently distinguished the one from the other Company. The Postmaster General himself allowed the bill to go back to the committee for amendment.

Hon. Mr. CAMPBELL argued from the original terms of the bill and other circumstances, that the Goldsmiths' Company was not to be a manufacturing one.

Hon. Mr. LETELLIER DE ST. JUST contended it would manufacture.

Hon. Mr. McCLELAN believed it unfortunate that such bills should be brought before this House. At the same time he could see no difference between the character of this and other bills lately passed. If the incorporators were men of small means, it was judicious to enable them to unite to do business. The opponents of this bill had abundant time to present their objections by petition in the proper Parliamentary way. He did not consider it right to single out this measure for exceptional hostility. (Hear, hear.)

Hon. Mr. REESOR advocated the passing of this bill, condemning invidious distinctions in such matters. He recommended the encouragement of this and all new manufactures, and said the company would naturally require to buy damaged or unfashionable jewellery, to work the metal up again. We were simply asked by the bill to grant the ordinary manufacturing powers. He hoped the Post-

master-General would withdraw his objections.

Hon. Mr. KAULBACK opposed the bill, as he had done in committee. If it were to charter a manufacturing company it would be another matter. He disapproved of a company for mere buying and selling using the name of the Goldsmiths' Co. of England, which was well known, and might experience injustice from such a course.

Hon. Mr. LETELLIER DE ST. JUST moved the order stand till Monday. He desired to consult some of the parties interested in this measure. Carried.

The bill to enable Jas. K. Ward and others to boom the channel between Isle St. Ignace and Isle du Pads, was reported, with an amendment providing for the passage of lumber, rafts, or vessels belonging to other parties.

On motion of Hon. Mr. GUEVREMONT, the bill, as amended, was read a third time.

On motion of Hon. Mr. OLIVIER, the House considered the Railway Companies' increased traffic accommodation Bill, as further amended by the Committee on Banking, Commerce and Railways.

Hon. Mr. LETELLIER DE ST. JUST proposed another amendment to the clause providing a penalty in case of offending railways or officials, to the effect that the action in the Province of Quebec may be brought before any two Justices of the Peace. Agreed to. Bill read a third time as amended.

On motion of Hon. Mr. LETELLIER DE ST. JUST, the Canada Metal Company Bill, as amended by the Committee on Banking, Commerce and Railways, was read a third time.

Hon. Mr. ODELL moved the consideration of the report of the joint committee on the Library, and that all that part respecting the collection and protection of manuscripts illustrating the early history of Canada be adopted. Carried.

On motion of Hon. Mr. CAMPBELL, the Railways Acts Amendment Bill was read a third time.

#### SECOND READINGS.

Canada Investment and Guarantee Bill. Hon. Mr. Ryan.

Shipping Registration Bill. Hon. Mr. Campbell.

Hon. Mr. RYAN moved the second reading of the Labrador Company Bill. He explained that the company proposed to carry on seal fishing and fishing generally, and do business between Canada and Europe and other quarters. The incorporators were highly respectable and influential.

gentlemen, and their intention was to do business in high latitudes. (Laughter.)

Hon. Mr. READ said he had a decided objection to this bill, some of whose provisions were most extraordinary. Clause 17 provided the Co. might issue bonds to the amount of their stock paid up, to hold priority over all other claims, by which the bondholders might in certain circumstances, use up all the assets of the company, leaving the rest of the creditors to go without any. That as well as some other provisions should not receive the sanction of the House. The shares were to be \$1,000 each, a large amount, even though the promoters of the bill were highly respectable. Besides they might sail ships between Europe and this country, build telegraph lines and do almost everything with a capital of only \$33,000. The bill commenced by sealing and fishing, and to him it looked very fishy. (Laughter.) He hoped the committee would subject it to a good scrutiny.—Motion carried.

On motion of Hon. Mr. BUREAU, the amendments of the House of Commons to *le credit Foncier du bas Canada* incorporation bill were concurred in, and the bill read a third time.

In answer to Hon. Mr. BUREAU,

Hon. Mr. CAMPBELL said he was not in a position to say when the House would adjourn. He then submitted a message from His Excellency, accompanying papers relative to the projected Union between Prince Edward Island and Canada, also papers respecting the enquiry into the loss of the "Atlantic."

On motion of the Hon. Postmaster General, the House then adjourned till Monday, at three o'clock.

MONDAY, May 19

The SPEAKER took the Chair at three o'clock.

#### THE GOLDSMITHS' BILL.

Hon. Mr. CAMPBELL said he had received a number of petitions from persons in the watch and jewellery trade in Toronto and Montreal against the Goldsmiths' Bill, which, with the leave of the House, he read. Several of the petitioners remonstrated that their signatures in favor of the Bill had been obtained under false pretences, while others set forth the unfairness and pernicious character of the Bill.

Hon. Mr. BUREAU expressed surprise at the course of the leader of the Government in this matter, which he

maintained was contrary to the rules and practice of the House. We were simply a judicial tribunal, the proper place for reading such petitions being the Private Bills Committee. The hon. gentleman's *ex parte* proceeding was indefensible. It was just neither to the promoters nor the opponents of the measure.

Hon. Mr. CHRISTIE said he called the attention of the Senate last session to an impropriety of which the Postmaster General was guilty, his advocacy of a private bill. On such matters it was improper for the Government to take a leading part, either in favor of or against private bills. He had before quoted the authority of Sir Robert Peel on the point, and it was unfortunate the hon. gentleman should have again assumed a position not compatible with his position as a member of the Government in this matter.

Hon. Mr. CAMPBELL thought he had done nothing improper. The petitions were placed in his hands for presentation to the House, and he would have been remiss in his duty, considering the stage which the bill had reached, had he withheld the information thus sent him. He merely submitted it as any other member would have done. He thought it was quite consistent with the duty of a Minister to take a part for or against a private bill. He interfered, not with reference to the private interests involved, but on account of the public interest, which he was bound to guard. He had taken no strong part, nor was he actuated by personal motives.

Hon. Mr. LETELLIER DE ST. JUST replied to criticisms adverse to the claims of the corporators and their pecuniary qualifications. He maintained their opponents had misrepresented them, and that they were well entitled to a charter.

After further discussion, in which

Hon. Mr. REESOR advocated the proposals of the Goldsmiths.

Hon. Mr. CHRISTIE quoted from Todd's Second Volume to prove the correctness of his argument as to the duty of Ministers, touching private bills, to the effect that their peculiar responsibility was confined, for the most part, to the initiation, and control of public business; as regards private bills, wherein the rights of private parties were adjudicated upon by Parliament, an opposite principle prevailed. The hon. gentleman also quoted Sir Robert Peel's remarks in 1830, when he declined interfering with any private bill, in confirmation of his already expressed views.

Hon. Mr. CAMPBELL admitted the authority of Sir R. Peel was high; but re-

called the constant active part taken by the Hon. Mr. Vankoughnet in private bill legislation, when leader of the Government in the old Legislative Council of Canada. For a long time he differed with his colleague, Hon. Mr. Ross, on the point, and two or three times a session the House would hear strong opinions volunteered against private bills by Mr. Vankoughnet; not respecting private interests involved, but the effect on the public interest; and different opinions would come from Mr. Ross. This precedent, too, was worth something. Last session there was repeated Ministerial interference with private bill legislation, and usefully and properly; also with a view to the general advantage. The authority of Peel should not outweigh his own practical experience of the usefulness of this interference on certain occasions.

Hon. Mr. CHRISTIE did not object to Ministers having and expressing an opinion as to certain kinds of legislation, on principle, but to their exceptional action in special cases. The other day the hon. Postmaster General went very far indeed, namely, attacking the names of certain corporators, and exerting the influence of the Government in a special case, which was incorrect and unfair.

After some further discussion the matter dropped.

The Hon. ALEXANDRE RENE C. DE LERY, the Senator for Lauzon, was introduced by Hon. Messrs. Campbell and Panet, and after subscribing to the usual oath, was escorted to his seat on the Ministerial side of the House.

Hon. Mr. REESOR submitted the report of the Joint Committee on Printing, on the part of the Senate.

On motion of Hon. Mr. RYAN, the Bill to Incorporate the Canada Investment and Guarantee Agency was read a third time, as amended.

The Act to empower the Montreal Northern Colonization Railway to extend its line to the terminus of the Canada Pacific, was reported from committee, with amendments. Hon. Mr. RYAN moved concurrence in them and that the bill be read a third time. Carried.

Hon. Mr. RYAN moved the third reading of the bill to incorporate the Merchants' Warehousing Company.—Carried.

Hon. Mr. REESOR moved, seconded by Hon. Mr. DE LERY, that the report of the Joint Committee on Printing be taken into consideration to-morrow.—Carried.

Hon. Mr. MACPHERSON gave notice of certain resolutions respecting the Canadian Pacific Railway.

The Goldsmiths' Bill having been re-

ported from committee, with amendments, Hon. Mr. LEFELLIER DE ST. JUST moved concurrence therein.

Hon. Mr. MACDONALD, of B. C., asked that the amendments be read.

Hon. Mr. LEFELLIER DE ST. JUST said the title of the bill would, according to the Postmaster General's desire, be changed—hereafter to stand—the Jewellers' Manufacturing Co. of Canada; and, instead of 'buying and selling,' he would substitute the word 'dealing,' in one of the early clauses; and in the second clause the bill would read, instead of the company may purchase such goods, the company may purchase machinery. No manufacturing company could carry on business without a right to trade, to purchase material and machinery and then sell its own wares.

Hon. Mr. CAMPBELL—Instead of moving concurrence in the amendments, you should move the bill be referred to Committee of the Whole.

Hon. Mr. LEFELLIER DE ST. JUST, assenting, moved accordingly. Carried.

The Bill having been reported amended, was read a third time, on motion of Hon. Mr. LEFELLIER DE ST. JUST.

Hon. Mr. CHINIC moved the third reading of the Bill to grant additional powers to the Quebec and Gulf Ports Steamship Company. Carried.

#### DECK LOADS' BILL.

On the order for Committee of the Whole, Deck Loads' Regulation Bill—Hon. Mr. CAMPBELL,

Hon. Mr. WARK argued it was an extraordinary anomaly of the Bill to impose restrictions as to deck loads on vessels sailing from Nova Scotia and the Bay of Fundy to the West Indies, while permitting vessels from Montreal and Quebec to go to South America, a longer and more perilous voyage, with any deck load they liked. He thought, in justice to the Maritime Provinces, that clause ought to be struck out, which he would move.

Hon. Mr. WILMOT said while he entirely agreed with the principle of the Bill, in the interest of life and property, he thought the clause relating to the trade with the West Indies required amendment. He quoted the opinion of the St. John Board of Trade, in opposition to this proposed deck load legislation, till our rivals the Americans enacted a similar law. Otherwise they would carry off the trade from the British Provinces. He believed this a correct view, and that very little would transfer the valuable trade between St. John and the West Indies to the Americans. If it was necessary to give latitude to British Colum-

bia, to enable her to compete with Washington territory and Oregon, it was equally necessary to avoid discriminating against the eastern Provinces, lying alongside the New England States. He would not legislate before the Americans in this direction, they being equally concerned in the protection of the lives and property of their citizens. It was proper to legislate for the case of vessels going from Quebec and Montreal to Europe, overladen with timber. Much life and property had been lost in this trade, which the foreigner could not injure. There was little or no danger to vessels from the Maritime Provinces trading with the West Indies. A fair wind soon carried them into a mild latitude. He could not see why in this trade such restrictions should be imposed, while vessels from Montreal could carry as heavy deck-loads as they liked to South America and round Cape Horn, a far longer and more dangerous voyage. He hoped this exceptional provision, so far as the Maritime Provinces were concerned, would be expunged.

Hon. Mr. CAMPBELL said he did not think the motion and objections to the bill just made, were consistent with the object they attributed to the measure. The motion was not to introduce a clause, to prevent ships with large deck-loads going round Cape Horn, but to strike out the clause preventing vessels from sailing for the West Indies with deck-loads beyond a certain height. Neither of the preceding honourable gentlemen who spoke, contended that the evil which the bill proposed to remedy did not require a remedy. They did not show that it was not dangerous for vessels to go to the West Indies with undue deck loads, but stated, in effect, that they would postpone the remedy, because there was another evil connected with vessels taking a still longer and more difficult voyage, which was not amended by the bill. He did not acquiesce in that train of reasoning. It might be the bill should have gone further, and forbidden vessels rounding the Horn carrying large deck loads, but he apprehended that their number was very small.

Hon. Mr. WILMOT—There is a very considerable trade to Valparaiso from the St. Lawrence and Lower Province ports.

Hon. Mr. CAMPBELL said he bowed to the hon. gentleman's superior knowledge on the point; but still believed the evil in this direction was not nearly so great as that which the bill proposed to correct. As regards the West Indies, the evil had been pointed out in the strongest terms

by a gentleman who, from his official position, possessed a very great knowledge of the subject, Mr. Dunlop, Her Majesty's Consul General at Cuba. He publicly called the attention of the Board of Trade at home to the number of casualties occurring in the trade of British North America with Cuba, in lumber, shooks, and so forth. This gentleman stated that a very large trade was carried on between St. John and Cuba, and that scarcely a vessel arrived there without losing a portion of her cargo, or receiving damage from carrying large deck loads of lumber and shooks, and that they endangered the lives of the crews. Mr. Dunlop suggested a system of inspection, and stringent regulations as regards deck loads generally. Mr. Campbell read further from the pamphlet on this subject, issued from the Marine and Fisheries Department, with respect to the loss of life and vessels in the St. John and West India trade, from heavy deck loads. Some of the vessels had never been heard of. There were thirty cases of casualties here enumerated, and he desired to say at least many of them were due to deck loads. In a few years thirty-one vessels and a great many lives were lost, besides valuable cargoes. Now the limit designed to meet this evil was not extreme, nor one which a careful shipowner, with reasonable Christian regard for the lives of the persons in his employ, would refuse to impose upon himself. He thought any owner with a due sense of his responsibility, would, without a bill of this kind, conform to such a rule as it proposed; namely, a deck load not exceeding four feet six. He did not think it was a sufficient answer to say, not that these lives and properties had not been lost; not that this injury to the trade had not occurred; not that there was a habit of carrying undue deck loads; but that there was another evil and mischief the bill did not touch. (Hear, hear). If there was an evil as regards the smaller trade, with countries around Cape Horn, it had not forced itself upon their attention like the present. The Minister of Marine, whose duty it was to acquaint himself with the whole trade of the country, and to deal with positive evils, evidently had good reasons for not going further in this bill than he proposed. Mr. Campbell here read some of Mr. Mitchell's reasons from his pamphlet, for not including the coasting trade with the States in the bill. He wished to avoid unnecessary opposition, but at any rate the West India trade was more dangerous than the other, which permitted of vessels running into shore.

every few hours if necessary. The business of the fair shipper would be little affected by the bill, whose limit constituted a fair average load. Forty-two vessels laden with timber were lost last fall on their way to Europe from Quebec, and the attention of the British Government had been called to the subject in the most earnest manner with a view to such legislation as this bill contemplated. In the face of the facts and statistics recited, no one could doubt a great evil existed, and that a remedy was needed. He trusted therefore this amendment would be withdrawn. (Hear, hear.)

Hon. Mr. KAULBACK said he fully agreed with the Postmaster General that we should consider whether there was a sufficient case of recklessness made out for legislation on the question of deck loads. He would ask whether the hon. gentleman had founded his case upon the elaborate report got up by the Minister of Marine and fisheries, which was the strongest possible document on all the cases therein mentioned that could have been prepared. Could he find an instance of the loss of a vessel from Nova Scotia? Well, if such a thing could not be proved, why should the vessels of that Province be restricted in the manner proposed? The United States offered us an example in this respect. They had shown a due sensitiveness to the value of life and property, but had not acted as we were asked to do. He thought, as regards the principle involved, that private parties were the best judges. They would not improperly expose their vessels to loss, involving hull, cargo and insurance—would not despatch risky or over-laden vessels. He argued that we should confine ourselves, therefore, to provisions in the interest of life. But even as regards New Brunswick, the loss of life was small, considering the number of men in the trade. There were but one or two vessels set down by the report as lost through overloading. The thirty-one or thirty-two casualties mentioned might extend over several, say ten years. The Minister might as well have given the period; but at any rate, there was loss of life in only a few instances. He contended that deck loads afforded protection to seamen; and that more were washed off and drowned from vessels that did not carry them, over whose decks the waves had free play. There had not been a sufficient case made out for this legislation, which would bear hardly against New Brunswick and Nova Scotia. The present agitation and trouble were due mainly to the shipwrecks of last year in the Quebec and British timber

trade. Old vessels of twenty years' average, unfit for anything else, were sent to Quebec to bring home timber, and the consequence was, they fell a prey to the elements when a storm arose—deck loads not being the chief cause at all. The British Parliament, at the instance of Mr. Pimmsoll, who had taken great interest in this matter, had appointed a commission to report, and had we waited for it, we should have been in a better position to legislate. He held that all the Canadian Government should have asked for at present was legislation as respects the trade between Canada and Britain. The proposed legislation, affecting but the south shores of Nova Scotia and New Brunswick, on the Bay of Fundy, would be not fair, but partial and invidious. After the 15th of November, no vessel left the Gulf of St. Lawrence. The largest vessels, with the heaviest deck loads, went to Brazil, which was not thought of in the bill. He pointed out the privileges enjoyed by British Columbia in the coasting trade, in order to enable her to compete with the Americans. The Minister of Marine had not told us there was a large sacrifice of life in its trade with places along the southern coast and round the Horn. He appealed to the Government in forcible language to consider the case of the Maritime Provinces as favorably as that of British Columbia, and in the interest of the Canadian trade to strike out the objectionable clause. (Hear, hear.)

Hon. Mr. MACPHERSON said it must be very gratifying to know that there is no life lost in this trade between Nova Scotia and the West Indies. Might not that be due to the fact which the hon. gentleman (Mr. K.) stated when the bill was last before the House, namely, that the average deck load carried by the Nova Scotia vessels did not exceed much, if any, the height of the deck load prescribed by this Act, four and a half feet? He thought that hon. gentleman in saying so, gave a very strong reason in favor of the limit fixed by the bill, that the advantage of observing this rule was demonstrated by the fact that very few losses had occurred, and according to the hon. member, no loss of life. He understood that a large portion of the opposition to this bill in another place, came principally from St. John people; but that before it reached its final stage, the opposition was almost, if not altogether withdrawn, and that its prominent opponents took pains, before it passed, to undo their previous work. He had heard that letters were received

from the President of the St. John Board of Trade approving of the bill in its final form. He was quite sure the Minister of Marine, an efficient and zealous representative of New Brunswick, would not press a measure inimical to the marine interests of that or any portion of the Dominion. (Hear, hear). After the experience we had had of the Maritime Province trade with the West Indies, and of the St. Lawrence, there could be no doubt of the necessity for such a bill, which he did not conceive went too far. We should make a beginning and proceed or improve with experience. [Hear, hear].

Hon. Mr. WARK contended his principal point had not been met—namely, the unfairness of placing restrictions on Nova Scotia and New Brunswick vessels sailing to the West Indies, while leaving the St. Lawrence vessels to carry as heavy deck loads as they liked, to more distant countries on this side of and beyond Cape Horn. The argument for restrictions upon them was far stronger than as regards the other fleets. He argued the whole principle of prescribing a certain uniform height of deck load was wrong. Mr. Plimsoll's Bill, fixing a load line a certain distance from the water line up to the gunwale was more correct. For vessels were so differently constructed that what was a moderate load for one was a heavy load for another. A vessel with two feet more depth of hold, could not carry the same deck load with a vessel of shallower hold. Then the breadth of the beam and the size of the ship should be considered. With a law of this kind there should be an inspector at the port of shipment. The same rule could not justly apply to all vessels, some of which were safer with a deck load than without one.

Hon. Mr. CAMPBELL contended in reply to the above, and a few further remarks from Hon. Mr. KAULBACK, that it was necessary to apply some remedy to undoubted evils, of whose existence the Consul General's letters to the British Board of Trade and other evidence furnished proof. If this Bill did not go far enough, it would constitute good ground work for additional legislation another session. The honorable gentlemen in opposition to him had not shown no evil existed, nor any good reason for neglecting to combat it in the way proposed.

Hon. Mr. McCLELAN opposed the Bill as calculated to injure the trade of the lower ports.

After some remarks from Hon. Messrs. Fiske and Wilnot,

Hon. Mr. RYAN said—If you allow

American bottoms to carry deck loads to a large extent, they will take from us the greater part of the carrying trade.

Hon. Mr. CAMPBELL—The bill applies to American bottoms in Canadian ports.

Hon. Mr. RYAN—But they will go from a Canadian port to one of their own, and thence to the West Indies. To prevent loss of life by deck loads, we should have to get a general law by conference with the great shipping powers. It would also be a mistake to prevent vessels carrying undressed spars above deck; on the voyage sailors were often usefully employed in preparing or dressing them for use. He could not see the propriety of restraining these vessels in this matter.

Hon. Mr. CAMPBELL promised to call the attention of the Minister of Marine to this point.

The motion by Mr. WARK was then put, and on a division rejected. Contents, 15; non-contents, 16.

Clause three, therefore, stood as amended by the majority of one.

In reply to members,

Hon. Mr. CAMPBELL said he would consult the Minister of Marine as to spars, and would mention the closeness of the division on clause three. He then moved the committee rise, report progress, and ask leave to sit again. Carried.

It being six o'clock, the House rose.

#### AFTER RECESS.

The SPEAKER took the chair at eight o'clock.

A number of bills were received from the House of Commons, some with amendments.

Hon. Mr. RYAN moved the third reading of the bill to incorporate the Labrador Company, as amended. Carried.

On motion of Hon. Mr. CAMPBELL, the House went into Committee of the Whole on the Shipping Registration Bill.

Hon. Mr. BUREAU proposed an amendment designed to prevent conflicts of jurisdiction in Lower Canada in regard to the Civil Code. This year, he said, a great many errors had been committed in legislating, with respect to the different jurisdictions.

Hon. Mr. CAMPBELL accepted the amendment.

Hon. Mr. KAULBACK recommended the amendment of the 26th clause with a view to the protection of ship owners against the possible malice of parties who might wish for detentions and expenditure of money without good grounds.

Hon. Mr. CARRALL also suggested an

amendment, pointing out the possible difficulties and losses from detention while notice was being sent to the Minister of Marine. The telegraph to British Columbia, for example, might be down and much valuable time lost before orders could be had from Ottawa. There should be a local officer to inspect these vessels and act on discretion.

Hon. Messrs McLELAN and WILMOT also pointed out the possibility of abuse of the power of stopping a vessel. The latter thought it was too much to entrust to any man. He protested against this hasty legislation.

Hon. Mr. CAMPBELL saw no danger in the clause; if a vessel was unfit for sea, somebody should have power to stop her. Then, no better person could be selected than the Minister of Marine, over whom Parliament had control. In case of hardship there was recourse against the Government. A collector of customs or other local officer was not responsible to Parliament, and might use his power improperly for one local reason or another.

Hon. Mr. WARK objected to the lien on vessels, proposed to be given workmen and others, to the possible detriment of creditors abroad.

The clause was carried on a division.

Hon. Mr. BUREAU'S amendment was accepted as the 55th clause of the bill.

Hon. Mr. CAMPBELL said he desired to consult the Minister of Marine on some of the clauses, and would move the Committee rise, report progress and ask leave to sit again.

Hon. Mr. ODELL suggested consultation as to an amendment respecting the cost of surveys.

On motion of Hon. Mr. AIKINS, the bill to incorporate the Oshawa Board of Trade, was read a second time.

#### INTEREST AND USURY IN NOVA SCOTIA.

Hon. Mr. KAULBACK moved the second reading of the bill from the Commons, respecting interest and usury in Nova Scotia. He briefly explained its principal provisions, saying it enlarged the rate of interest to be taken in that province, doing away with the penalty for excess. The interest, when no rate was fixed, should hereafter be six per cent. The second clause discriminated between the classes of loans, real estate and personally. For the former, seven per cent. might be received: and for the latter, a more precarious risk, ten per cent. The third provided that in an action on contract, the defendant might have the interest reduced to a legal rate. In Nova Scotia there had been a penalty for a high-

er rate for loans than six per cent; but borrowers and lenders evaded the law, which had the effect of driving a large amount of money out of the country, for investment. Though the bill proposed might occasion individual hardship now and then, it would be generally beneficial. Money, like other things, should be left to the regulation of supply and demand.

Hon. Mr. ODELL seconded the motion, which was carried. Bill referred to committee.

#### INSOLVENCY.

Hon. Mr. CAMPBELL moved the second reading of the bill to continue the Insolvent Act of 1869. He said last session the Insolvency Laws were repealed in another place (the Commons) but happily, owing to the Conservative feeling of this House, and the usefulness of this House, [hear, hear, and laughter,] the bill was arrested, and the country spared the repeal in question; and now we found the wisdom of our course recognized in another place, and a bill introduced proposing to prolong these laws another year. He thought this was a tribute to the wisdom of this House, which might congratulate itself on its course last session.

After some remarks from hon. members,

The bill was referred to Committee of the whole, and reported without amendment.

#### GAS AND METERS.

Hon. Mr. AIKINS moved the second reading of the Gas and Meters bill. He explained that it designed a system of inspection. Very great complaints were frequently made by the consumers of gas; in the first place that it was very impure, and in the second that demands were made for gas not really consumed. The bill provided the meters should be properly inspected and stamped, and the gas itself subjected to a test.

Hon. Mr. ODELL—How are the inspectors to be appointed?

Hon. Mr. AIKINS—By the Governor in Council.

Hon. Mr. RYAN—I think this is another measure for which the Senate deserves some credit. The hon. member for Grandville (Mr. Letellier de St. Just) and myself called attention to the importance of the establishment of a system of inspection of gas meters, and I am glad the idea has been acted upon. (Hear, hear.)

Hon. Mr. AIKINS admitted the fact of the credit due the hon. gentleman, and the hon. member for Victoria (Ryan) in particular, not only in regard to this, but the



Weights and Measures bill also. (Hear, hear.)

Hon. Mr. FERRIER moved the second reading of the bill to amend the Consolidated Statutes, Cap. 53. He explained it was proposed to allow religious and charitable institutions to charge for loans at the rate of eight per cent. Hitherto they could only invest at six.

A MEMBER Is it religion or charity to ask more? (Laughter.)

Hon. Mr. FERRIER explained, in answer to questions, the bill was to apply to future, not to past transactions.

Motion carried.

On motion of Hon. Mr. CAMPBELL, the House adjourned, a little before ten p. m.

—  
TUESDAY, May 20.

The SPEAKER took the chair at three o'clock.

Hon. Mr. CAMPBELL said it was with sincere pain that he announced to the House the fact of a telegram having been received, declaring the death of Sir George Cartier in London, at six o'clock this morning. There were many members of that House who had differed from Sir George Cartier in political matters during his lifetime; but although they had opposed him, he (Mr. Campbell) was sure all would regret the death of their colleague, and sympathize with him in his expression of regret for the loss the country had sustained. When the history of this country came to be written, there would be no one who would occupy a more prominent place among the names of those who had taken a principal part in advancing its welfare, and contributing to its prosperity, than Sir George Cartier. (Hear, hear.)

Hon. Mr. CHAPUIS cordially endorsed what had fallen from the last speaker, adding his feeling testimony to the great worth of the lamented deceased.

Hon. Mr. LETELLIER DE ST. JUST said he did not wish at that period of the session to ask the Government to deviate from any rule laid down by them in regard to occasions of that kind; but he thought it would be but a fitting tribute to the memory of their late colleague to ask the Government to mark their respect for him by adjourning the House. He had almost always differed from the opinions held by the late Sir George Cartier, but felt that the country had sustained a great loss in his death. He should be happy to support any motion made to adjourn.

Hon. Mr. CAMPBELL said he did not think it desirable to adjourn the House.

Hon. Dr. CARRALL did not ask the Government to adjourn the House, but he thought in the present case it should do so. He said the sad event had taken him by surprise, and he looked upon it with the deepest regret. In the death of Sir George Cartier, the British Empire had lost one of her noblest sons; he was one of the ablest of her legislators, and entirely free from all sectarian or impure motives in his public life. He would ask the Government to reconsider the determination to go on with the business of the House, as it would be but becoming in it to adjourn.

Hon. Mr. ARMAND could only add his tribute of sorrow on the death of Sir George Cartier, who had been always ready to carry out anything which was for the best interests of the Dominion. His death was a most serious loss to the country generally, and it was right honorable gentlemen should join in paying any just tribute to his memory.

Hon. Mr. FERRIER said he could scarcely trust himself to speak. The painful news which had been so suddenly conveyed to him had shocked him so greatly that he could not collect his thoughts sufficiently to speak as he would wish to do upon so solemn an occasion. Sir George Cartier had been a warm friend of his for years. He had been his adviser whenever he had needed counsel, and never had that counsel been anything but the wisest and soundest, and always to be relied upon. He felt that the public had suffered a great loss, and one from which it would not readily recover.

The Hon. the SPEAKER, who left the Chair for the floor of the House, and appeared to be deeply moved, said that he could not allow the occasion to pass without paying an humble tribute to the memory of the illustrious and lamented statesman, whose intimate friend he had been for so many years. He had certainly not much to add to the very appropriate remarks that had been made by other Senators. Their sentiments would find a response, an echo throughout the whole country—indeed they were nothing more than what were expressed at this very moment by all friends of their country in every part of the Dominion. He knew that whatever their political opinions or feelings might be, all friends of the country appreciated the great talents, the noble qualities of Sir George Cartier. He was not a man of a Province merely, but he was a man of the Dominion, nay of the Empire. His loss would be felt everywhere.

As far as he was personally concerned, he might say that on two very important occasions, he acted chiefly on account of his reliance on the word of Sir George Cartier—that word, which, as the hon. Senator who spoke last had so well expressed it, had never deceived any one. That was first when he accepted, at Sir George Cartier's request, the trust of conducting the educational affairs of Lower Canada, and the second instance was when he accepted the task of forming the first local administration of the Province of Quebec. He regretted that the Government had not thought fit, owing to the state of the public business, to follow the suggestions thrown out by the leader of the Opposition (Hon. Mr. Letellier) and had not adjourned the House; however, the unanimity of feeling which had been shown, and the suggestion coming from the hon. gentleman, illustrated the fact that the lamented baronet was admired and esteemed by his political adversaries as well as by his friends.

Hon. Mr. CAMPBELL said as it appeared to be the general wish of the members of the House to adjourn he would, seconded by Hon. Mr. Letellier de St. Just, move an adjournment until half-past seven o'clock. Carried.

#### AFTER RECESS.

Hon. Mr. CAMPBELL moved that on Tuesday, the 20th inst., and every succeeding day thereafter, there be two distinct sittings of the House, one from 3 to six p. m., and the other from 7.30 p. m. onwards. Carried.

#### THIRD READINGS.

Act to incorporate the Lachine Hydraulic Works Company, and grant certain powers thereto.—Hon. Mr. Ferrier.

To amend chap. 58, Con. Stat.—Hon. Mr. Ferrier.

Act respecting interest in Nova Scotia.—Hon. Mr. Kaulback.

To incorporate the Oshawa Board of Trade.—Hon. Mr. Benson.

Hon. Mr. CAMPBELL, on the suggestion of Hon. Mr. Girard, moved a rider to the bill for the continuation of the Insolvent Act of 1869, to suit the changed character of the courts in Manitoba. The bill, as amended, was read a third time.

Hon. Mr. REESESOR moved the adoption of the seventh report of the Committee on Printing. Carried.

#### DECK LOADS.

The House then went into committee on the Deck Loads Bill.

Hon. Mr. CAMPBELL said, after consultation with the Minister of Marine, he was prepared to amend the clause as to spars, so as to allow vessels to carry five undressed spars above deck, as the member for Victoria (Hon. Mr. Ryan) had suggested. He moved the amendments be concurred in.

Hon. Messrs. WILMOT and KAULBACK said the representatives of the Maritime Provinces in the other House were opposed to this bill all through. They again urged the striking out of the clause placing a restriction on the vessels trading with the West Indies, Mr. Kaulback moving to that effect.

Hon. Mr. CAMPBELL reiterated his objection that there had been no argument to show these restrictions were not necessary, even granting that of the River St. Lawrence vessels had been omitted from the bill. On enquiry he learned that this was due to the fact that they sailed to the Brazils and other South American ports during summer, and were vessels of a different kind from the St. John, being better adapted for long voyages, and that they could take deck loads more safely. On the other hand, the vessels sailing from the Maritime Provinces to the West Indies proceed during winter; and when their cargoes of shocks become covered with ice, they constitute an exceedingly heavy and dangerous deck load. He learned also that the casualties connected with the thirty-one vessels going between the Maritime Provinces and the West Indies took place in three years, and were mainly due, so far as could be ascertained, to the practice of excessive deck loads. He was informed that the limit proposed by the bill was the very limit which any prudent man would adopt for himself, without a bill at all. He argued, therefore, that, supposing there was need of legislation in other directions, it would be wrong to reject this opportunity of dealing with such an urgent case.

After further discussion, in which Senator WARK joined, a division took place on the amendment, which was rejected. Contents, 14; non-contents, 25.

On the Post-master General's motion, the bill was then read a third time.

#### REGISTRATION BILL.

House in committee,

Hon. Mr. LETELLIER DE ST. JUST suggested an amendment respecting the clause as to mortgages.

Hon. Mr. CAMPBELL also submitted an amendment to render the language of the bill clearer in regard to the liability of the Crown in case of improper or mistaken detention of vessels. Recourse would be had against the Minister of Marine.

Amendments concurred in, and bill read a third time.

#### GAS AND METERS BILL.

House in committee,

Hon. Mr. RYAN in a few facetious remarks, recommended an increase of the standard of light, as regards Halifax, Montreal and Toronto. The change for Montreal should be 16 candles instead of 14, and for Toronto 14 instead of 12. Any less illuminating power of gas was inadequate. If Toronto chose to remain in comparative obscurity after this (laughter), it was her own fault. Montreal, at least desired ample light. If a higher standard were fixed for the West, it would encourage the Nova Scotia coal trade, that coal being a better gas producer than the Cleveland, consumed in Ontario. He could not understand why Halifax, in the vicinity of the coal beds, should be content with light of twelve candle power.

Hon. Mr. AIKINS said the Cleveland coal did not produce so much gas as the Nova Scotia, and they did not require so much light in the West as in other places. (Laughter.) He presumed the difference in the standards prescribed was due to the difference in the coals. Halifax was content with the twelve candle standard. The only reason for requiring a higher one for Quebec was that the coal used there produced more gas than that burned in the West. The bill had been thoroughly considered in the other House.

The bill was reported with several amendments.

Hon. Mr. AIKINS moved the second reading of the bill to make grants of land to original settlers in Manitoba. He explained that the beneficiaries were to be those who went there between 1813 and 1835, known as Lord Selkirk's settlers, who were to be treated the same as the half-breeds, getting 140 acres each. This was deemed but just to those old and deserving settlers.

Hon. Mr. GIRARD urged equal justice to French Canadian settlers, who had long lived there, and helped to found the colony. Let all these claims be now settled, and avoid future discontent and trouble. He moved an amendment to include the French Canadians.

Hon. Mr. LETELLIER DE ST. JUST

supported it, advocating a settlement of all these claims at once.

Hon. Mr. SUTHERLAND admitted the claims of certain French Canadians, but stated they could be dealt with afterwards. The present grants should not be reduced by the addition of a large number of new names.

Hon. Mr. AIKINS, after considerable discussion justified, the conduct of the Government in not dealing with more than the present cases, by the action of the Manitoba Legislature itself, the session before last, which embraced only the Selkirk settlers. The subsequent action of that Legislature, last session, came too late to influence the present bill. He would, however, represent these fresh claims to his colleagues, with a view to the object advocated by hon. gentlemen. The present grant could not be halved or reduced in the way proposed by the Senate.

Hon. Mr. GIRARD, on this understanding, withdrew his amendment, and the bill was reported without amendment.

The House then adjourned till Wednesday.

WEDNESDAY, May 21.

The SPEAKER took the chair at three o'clock.

The Act to incorporate the Pictou Bank was read a third time.

#### CANADIAN PACIFIC RAILWAY Co.

Hon. Mr. MACPHERSON—I think the House will allow me to state as briefly as I can my reasons for putting these enquiries to the Government. The Pacific Railway Company is so closely connected with the Government of this country that it is impossible to look upon their transactions as the transactions of a private Company. They partake very much more of the nature of the transactions of the Government, or at all events, of transactions for which the country and the Government are responsible, morally at least. Now, hon. gentlemen, in this prospectus of the Canada Pacific Company, I find the very first statement after naming the directors, which in effect, is naming the Company, for it consists of the Directors, and the Directors only, so far as we know, and I think I am quite safe in saying that, if it consisted of any additional members, we should have had the information before us, for we asked for it very early this session; inasmuch as it is not before us, I am justified in assuming the Company consists exclusively of the Directors, thirteen

gentlemen in number; the first statement they made after enumerating themselves is, that a capital of ten millions has been subscribed, of which one million has been paid into the hands of the Receiver General, the unpaid balance being held by the Government as security for the due performance of the contract. Now, hon. gentlemen, I consider that a very serious misstatement, and one which I hope the Hon. Postmaster Gen. will be able to tell the House to-day, the Government have taken steps to correct in the great money market of the world where the statement was made. It is utterly impossible that any gentleman would get up and allege in this House that a capital of ten millions has been *bona fide* subscribed by men who intend to build the road in good faith, and pay up the money for the due performance of the contract. We have had papers before us showing how the one million, the ten per cent. has been paid; and I believe if we had got the committee the hon. gentleman opposite (Mr. Christie) asked for, we should have learned a great deal even with respect to the one million which might have been interesting, but not very satisfactory, to the country. But with respect to the remaining nine millions held by these thirteen gentlemen, it is utterly impossible that any gentleman could stand up here and say it represented in any sense, security for that, or any other amount. No, not to the extent of one dollar. The gentlemen who subscribed that stock may have done so in expectation that this company would have been made a national one, and that they would have been relieved of the stock; that their fellow countrymen would have assisted them in taking the stock. But the result has been far otherwise. There has not been one application for it, and a great many of us never expected there would be an application for a share of this stock. Now, is it not illusory to go to capitalists and represent that a company has been formed, with a capital of ten millions subscribed, and one million paid into the hands of the Receiver General, with nine millions held by the Government, the unpaid balance, as security for the due performance of the contract? Is it not fraudulent, and is it not the duty of the Government of this country, in protection of the good name, reputation and honor of this country, to correct this mis-statement? I believe it to be so—their first duty. I am afraid that, from reading of so many dishonorable transactions that take place on the other side of the line, our minds are becoming familiarized with

this country, and that while we, of this country would not be disposed to sanction or look lightly upon such affairs, if they took place among ourselves, are not so shocked, the public mind is not so affected by them as it was wont to be in past time. Now it is stated here the unpaid balance is held by the Government as security. How can an unpaid balance be held, or be security unless the parties owing it, and that is a matter of enquiry, are good? We know that the gentlemen who subscribed this capital did not subscribe it with the intention or ability to pay it up. But to say an unpaid balance is held is obviously absurd. It is worse, it is intended to be delusive. The next statement in the prospectus to which I will call the attention of the House is with regard to the lands; and, if the description of the lands and the description of the conditions on which they are held had been taken from the resolutions I had the honor to submit here a short time ago, and what was said upon these resolutions, and upon the motion asking for a committee, it could scarcely have borne a closer resemblance. They seem to have used our very words in framing this prospectus, or at all events the identical words used by myself and other honorable gentlemen here. They say by the charter the Government of Canada is restricted from selling the lands it possesses in the North West Territories at any less charge than \$2 50 an acre, unless a lower price is agreed to by the company, and this provision is regarded as virtually establishing the minimum value of these lands at that price. Now, hon. gentlemen will recollect that is precisely the statement I made. The Postmaster General replied that was not the meaning of the Charter; that \$2 50 was to be the average price. He dwelt very much on this average price, setting forth that a portion of the lands would be sold at very much less than \$2 50, and some at very much more. But here is Sir Hugh Allan's Company stating that this charter is virtually regarded as establishing a minimum price of \$2 50 an acre. I consider it a very great misfortune to the country that any such provision should exist. It is the duty of the Government to correct these misstatements, which compromise the country. It is quite possible that the Government, taking a very sanguine view of this matter, some months ago, may have expected the people of this country to have taken up this railway enterprise, but they have been undeceived, and it is their duty to undeceive others. If they have been imposed

upon, they should take care that the capitalists of England are not imposed upon by such misstatements as these. If the Government find, as they have found, and as the country has discovered, that this Company with its high sounding title of the Canadian Pacific Railway Company is a sham, it is their duty to inform the capitalists of the world of the fact. They should lose no time in telegraphing the financial agents of the Dominion that such is the case. I believe that if this had occurred ten or fifteen years ago resolutions would have been passed by both Houses of Parliament before this document had been many days in the country, calling on the Government, if they failed to do so themselves, to correct these misstatements, and not expose the country to any thing so discreditable as this. Suppose capitalists should be deluded by such statements into advancing money on this work. Would they not have a moral claim on this country, and a moral claim on a nation cannot be resisted. I hope the hon. Postmaster General will be able to reply to my first inquiry, that the Government have taken, or will immediately take, steps to relieve the country of the responsibility which now does attach to it by those statements made in the prospectus of the Canada Pacific Railway. (Hear, hear.) My question reads thus:

Whether the Government has taken any and what steps to correct the misrepresentations contained in the prospectus issued by the Canadian Pacific Railway Company, dated London, 3rd April, 1873; and especially to correct the important misstatement that stock in the said company to the amount of \$10,000,000 had been subscribed in the several Provinces of the Dominion, as follows:

In the Province of Ontario . . .	\$3,846,000
“ “ “ Quebec . . .	3,076,800
“ “ “ Nova Scotia	769,300
“ “ “ N. Brunswick	769,300
“ “ “ Manitoba . .	769,300
“ “ “ B Columbia	769,300

implicitly alleging, contrary to well-established facts, that the said stock was subscribed or is now held, *bona fide*, by persons able to pay the same, if called upon to do so, in the usual manner.

Hon. Mr. CAMPBELL—I shall not follow my honorable friend into the remarks which he has made on this occasion, and in which he has pushed to the extreme the latitude which is allowed by the House, of prefacing a question only by such remarks as are necessary to explain it to the House. The hon. gentleman has all along occupied a peculiar position with regard to this matter, and therefore, I suppose,

he is to some extent to be excused for his course, and I imagine that people will understand his motives. He has read apparently from a newspaper, certain statements about the Pacific Railway scheme, a prospectus or something of the kind.

Hon. Mr. MACPHERSON—Are they not known?

Hon. Mr. CAMPBELL—I do not know. I have not seen the prospectus or the newspaper, or any report in any of the English journals. I have not seen it in its original shape, nor in the columns of any English newspaper. I do not desire to follow the honorable gentleman into the merits of this document. The charter granted by the Government, under the authority of Parliament, is in England, and every person, undoubtedly, who desires to take any shares, or have anything to do with the company will have an opportunity of examining the charter. My reply to the question which the hon. gentleman put is, that the Government has no knowledge of, and is in no way responsible for the statements which may have been made in the prospectus of the Canada Pacific Railway Company. So far as regards the statements specially referred to, they are in accordance with the facts, as I am informed.

Hon. Mr. MACPHERSON—My next inquiry has reference to the \$500,000 which has been asked by the Government in the supplementary estimates, for the purpose of prosecuting surveys of this railway. We know that by the charter the Company is required not only to prosecute surveys for the time that they have obtained the charter, but to reimburse the Government for their expenditure in this work. The Company has been chartered for several months. Then, surely, if they are going to enter on the work at all, which they ought to be prepared to do before the 1st of July, they are required by their charter to commence by the 22nd or 23rd of July the actual construction of the work; it would be very strange in the Government to ask for this sum of \$500,000 to be expended subsequently to the 1st of July next. On first seeing this item, I took it for granted that the Government had come to the conclusion which almost every person in the country has arrived at—that the Canada Pacific Company has failed, and will not be able to prosecute the undertaking for which it was chartered, and the Government, not intending that a year should be lost, had asked Parliament for this sum, to enable the Government itself to proceed with the work. I hope this is

really the intention. It must be obvious to every person that the work cannot be really proceeded with now, in accordance with the contract, or with the engagement made with one of the provinces, that it should be commenced within little more than a month. I wish to speak as considerably as possible of the Canada Pacific Railway Company; but it is notorious they have failed. Private advices in all directions bring the same report, that they have failed utterly—not because of the magnitude of the undertaking, but because the parties interested in it are, and the enterprise in their hands is utterly discredited. The course pursued by these gentlemen has not only rendered the failure of the undertaking in their hands inevitable, but it has put out of the question the possibility of the achievement of this work by a private company, and it must now be carried out by the Government of the country. I hope this vote is asked for with a view to proceeding with it in that sense. As I understand Parliament is to adjourn, not to be prorogued, I am not without hope that when we are assembled here a couple of months hence the Government will be prepared with a scheme for carrying out this great enterprise as a public work. I hope that before the end of this period, in this interval, the Government will see that this Company's scheme has brought great discredit on the country at large, and that the public interest, the public self-respect, requires this incubus should be shaken off, and that the country should be free to proceed as Parliament may deem the public interest demands. It is a poor satisfaction to me to say that I always expected this result, but such nevertheless is the fact. I believed the parties now at work never would succeed in convincing capitalists in Europe, or in inducing them to interest themselves in the enterprise, or in securing their confidence. I always thought, whoever were concerned with the chief promoters of the present company would be involved in failure and discredit, and I believe that is the fate of every man connected intimately, prominently and ostensibly with the company. From the time I knew of the conspiracy to sell the undertaking to our American rivals, I had but one expectation; that is, conviction of its failure. That conspiracy, I am very much afraid, is not yet at an end; it is as much in vigour now as ever it was. The company now seek to carry out what was originally commenced in a spirit antagonistic to the best interest of the country, by representations incorrect, in fact, fraudulent to British capitalists.

I therefore beg to inquire, whether in asking Parliament to authorize the expenditure of the sum of \$500,000, included in the estimates for 1873-74, on the survey of the Canadian Pacific Railway—during the twelve months from the 1st of July next—it is the intention of the Government to proceed with the exploration of the country between Lake Nipissing and the Pacific Ocean, and with the construction of the Canadian Pacific Railway as a public work, temporarily or otherwise, in the event of Sir Hugh Allan and his associates failing to obtain the support of British capitalists in favor of their scheme for constructing the said Railway.

Hon. Mr. CAMPBELL—Again, I think, the hon. gentleman has pushed to extremes the latitude usually allowed to hon. members putting questions. The practice is to allow only such remarks as may be necessary for the elucidation of questions, in order that the House may fully understand them. I do not know what his private advices from England may be, but if his correspondence is tinged with his own feelings, I am not surprised at the reported failure of the loan. It is quite evident what the desire of the hon. gentleman is—namely, that the loan should prove a failure.

Hon. Mr. MACPHERSON—Certainly.

Hon. Mr. CAMPBELL—That is not the information which has reached the Government. They have no information pointing to such a disastrous result. We hope the result will be very different, and much more fortunate. The honorable gentleman apparently believes that no scheme which does not originate with him can succeed, and that no body of persons, of whom he does not constitute one, could, by any possibility carry on this or any other important undertaking. I venture to tell him, however, he deceives himself. My answer is that should the sum referred to, or any other sum be granted by Parliament, for the work of surveys of the Pacific Railway, and the present proposal in the other House is for completing the survey, it will be expended for the purpose and in accordance with the terms upon which it is voted.

#### AFTER RECESS.

The House met and passed a number of Bills through first and second readings, and adjourned till Friday.

Hon. Mr. MACPHERSON said he would postpone his resolutions till Friday. In fact he did not intend to proceed with

them. He thought, however, they embodied very much the sense of the country in the matter of the Pacific Railway. He left them over, knowing a number of hon. gentlemen were anxious to leave for home.

Hon. Mr. CAMPBELL thought they should be discharged. It was unpleasant for hon. gentlemen to leave town with the apparent possibility of these resolutions still coming up.

Hon. Mr. MACPHERSON said he had no objection.

Hon. Mr. CARRALL—Is it the intention of the House to meet during the summer?

Hon. Mr. CAMPBELL—No, it is not. The House is to be adjourned till some time in August, for the purpose of giving the committee which is to enquire into the manner in which the Pacific Railway contract was granted, certain powers which it would not have were the House not in session.

Hon. Mr. REESOR submitted the eighth report of the Joint Committee on Printing.

#### THIRD READINGS.

Gas and Gas Meters Bill, amended.—Hon. Mr. AIKINS.

Manitoba Land Grants to original settlers Bill.—Hon. Mr. AIKINS.

Hon. Mr. AIKINS moved second reading of the Bill to repeal harbor and tonnage dues in British Columbia. Carried.

#### PILOTAGE.

Hon. Mr. CAMPBELL moved the second reading of the Bill respecting pilots and pilotage at the different ports of the Dominion. He explained it would recast the present system, making different regulations for the different Provinces. Three changes were made as regards Quebec, one exempting from pilotage vessels under 250 tons, another popularizing more the Trinity Board, and a third augmenting the earnings of pilots by diminishing their number. Other ports unprovided for would receive pilotage authorities. As to Halifax and St. John, they would be nominated by the Crown, the Board of Trade and the City Council. At other ports respectively the authorities would be three persons nominated by the Crown. Power was taken for the exemption of certain ports from pilotage laws and authorities. As to the St. Lawrence, he was aware exception had been taken to the omission of the competitive principle, which he himself had thought an objection to the Bill. But it was a difficult subject to deal with. The

pilots were a corporation which it would be hard to deal with contrary to its will. To do so properly would require proceedings which ought, probably, to be taken in some of the courts in Quebec. The pilots had their rights under this Act which had to be respected. It would have been impossible therefore to have introduced the competitive system into the Bill. The present system had worked tolerably well and economically as compared with New York and other places.

Hon. Mr. LETELLIER DE ST. JUST said the bill ought to receive the approval of the House. The old pilotage system permitted of abuses such as blackmailing and other evils not now heard of. He praised the conduct and efficiency of the pilots.

Hon. Mr. SKEAD protested against the share and snare alike system in force on the St. Lawrence. The competitive was the right one for both the trade and the intelligent, enterprising pilot. The mercantile feeling, from all he could learn at the meetings of the Dominion Board of Trade, including that of shippers and lumbermen, was against the system hitherto prevailing. He would join with the Opposition or any party in fighting this part of the bill.

Motion carried, and bill reported from committee without amendment and read a third time.

A number of bills were received from the Commons and read a first and second time.

Hon. Mr. CAMPBELL gave notice that at the next sitting of the House, he would move certain resolutions respecting the union of Prince Edward Island with Canada.

The House adjourned at six o'clock:

#### AFTER RECESS.

The SPEAKER in the chair.

Hon. Mr. CAMPBELL—The resolutions of which I have given notice, relate to the union of Prince Edward Island with Canada. With the House so thin as at present, I am sure hon. members will not expect me to enter into any lengthened remarks on the subject of the completion of the Union, which we have been endeavoring to bring about ever since 1861, and which remains simply to be completed by the admission of Prince Edward Island. Of course Newfoundland remains still apart, but, speaking for myself only, and not for the Government, I do not think that is of so much importance. The terms on

which this Island comes in, so far as the money part is concerned, have been passed by the other branch of the Legislature, with almost perfect unanimity; and it is recited in these resolutions that the House of Commons have, during the present session, addressed Her Majesty by and with the advice of the Privy Council. That House being chiefly responsible for the money part of the resolutions, I think we, who are present, may very well adopt the arrangements thus sanctioned. The portion of the terms, not relating to money, are not in themselves of a nature to require any particular notice on my part. I will move, seconded by Hon. Mr. Aikins, they be now adopted.

Hon. Mr. FERRIER—From the time the Confederation scheme was submitted to Parliament, I have desired to live long enough to see the whole of British North America united in this Confederation, and I am now very glad that Prince Edward Island has decided upon coming into it. I have said that prosperity is not always an advantage, and I think if the seal fishing had been less successful for the last few years, we should have seen Newfoundland wishing to become a part of the Confederation, like Prince Edward Island. It got into difficulties a short time ago, and was glad to take hold of the stronger power. I do not desire hard times for Newfoundland; but if she understood her best interests, she would seek to become a part of the Union. (Hear, hear.)

Hon. Mr. WARK thought it was a matter for congratulation that the Confederation is now become more complete. Of course it was very desirable that Newfoundland should join it; but it was not near so important as Prince Edward Island. The terms granted it were very liberal. He did not know as to the assets, but we got nearly all their debts stood for, in the shape of a system of railways, nearly complete. There would be a good road easily and economically worked, from one end of the Island to the other. He hoped the people would be content with these terms.

Hon. Mr. HOLMES felt very glad that the Island had at last consented to enter the Union. This was the garden of the Lower Provinces, possessing a favorable climate and productive soil. He thought the Island would be a benefit, and not a burden to us; and all knew that union was strength.

Resolutions adopted.

Hon. Mr. CAMPBELL then proposed the usual formal motions with regard to such resolutions, which were agreed to.

The House then adjourned during plea-

sure, as it did several times subsequently, pending the reception of measures from the other House.

#### QUEBEC HARBOUR BILL.

Hon. Mr. CAMPBELL moved the second reading. He explained that, so far as the public were concerned, there was no danger of loss on account of the expenditures and improvements therein contemplated, as the tonnage dues were sufficient to meet all claims.

Hon. Mr. RYAN—Will it affect Montreal?

Hon. Mr. SKEAD—Vessels to Montreal are exempt from the taxation, and can remain twenty four hours in the harbor of Quebec besides. There is a duty of one tenth of one per cent. upon all cargoes inwards and outwards handled at Quebec.

Hon. Mr. CAMPBELL—There is nothing on the ships.

Motion carried and the Bill referred to Committee of the Whole.

Hon. Mr. SKEAD condemned this new impost, which he said was designed to attract the grain trade to Quebec, which ought to be done in Montreal fashion, by merchants buying cargoes up West, and bringing them down. It was unfair to tax the lumber trade, the staple trade of the country, for this purpose. Quebec Harbor at present afforded abundant accommodation to this trade, with which it was satisfied. The tax would not fall on the dealers or middlemen at Quebec, but on the producers up the Ottawa.

Hon. Mr. CAMPBELL said the conflicting Quebec delegations, that were here some time ago, ultimately agreed upon this tax, which represented a compromise, considered reasonable under the circumstances. The country was undertaking a serious liability in regard to this harbor, which involved the necessity of a considerable amount of tolls therefrom. By removing this tax the whole scheme would be altered and could not be carried out.

Hon. Mr. RYAN asked had there been any statement showing whether this debt had been judiciously or injudiciously incurred. He considered it very hard that the lumber, the great staple, the back bone of the country, should be taxed simply because the Harbor Commissioners had got into debt owing to the mismanagement of the funds and trust placed in their hands. The bondholders were to be indemnified it appeared at the expense of the lumber trade.

After some further remarks from Hon. Mr. SKEAD, the clause was carried on a



division, and the Bill was reported without amendment.

#### SECOND AND THIRD READINGS.

The following bills were advanced to their final stage.

Respecting the shipping of seamen.

To make temporary provision for the election of members to the House of Commons.

To readjust the receipts and liabilities of the different Provinces. (Surplus debt Bill.)

Relative to inspection of staple articles of produce.

Respecting export duties on lumber from New Brunswick.

To make better provision for the trial of election petitions.

To establish a police force in the North West Territory.

To readjust the salaries of the Judges.

To raise the salaries of Ministers and indemnity to members of Parliament.

Hon. Mr. CAMPBELL moved the second reading of the bill to admit Prince Edward Island into the Union. Carried.

Hon. Mr. KAULBACK briefly expressed his great satisfaction at the progress of this measure and the early completion of Confederation.

The bill was read a third time on the motion of the Postmaster-General, when the House adjourned till Friday, at eleven a.m.

FRIDAY, May 23.

The SPEAKER took the Chair at eleven o'clock.

#### QUEBEC HARBOUR BILL.

On the order for the third reading of the Quebec Harbour Improvements Bill.

Hon. Mr. CAMPBELL said he had, at the suggestion of his hon. friend opposite (Mr. Head), who took some objection to the bill, on its second reading, assented to an amendment, which was proposed to be added as a rider at the end of the schedule of the 18th clause, to prevent the imposition of any tolls, rates, duties or dues upon timber, either square, round or any, or upon deals or sawn lumber exported from the port of Quebec, by sea, to any place out of the Province of Quebec before the first January, 1874.

Amendment agreed to.

The bill as amended was sent to the Lower House, which did not concur in it. The Bill subsequently passed the Senate in its original shape.

The House, having spent some time waiting for bills from the Commons, adjourned till half past two.

On re-assembling the Bill to grant to Her Majesty certain sums of money (the supplies) was passed on motion of Hon. Mr. Campbell, seconded by Hon. Mr. Aikins.

#### THE ROYAL ASSENT.

His Excellency the Governor General having arrived at three o'clock, took his place on the throne. After a few minutes the Commons were summoned to the bar, when His Honor Mr. Speaker Cockburn presented the Supply Bill and the others passed since His Excellency's last official visit to the House, for the Royal assent.

The measures were presented in the following order and sanctioned accordingly:

An Act for keeping order on board passenger steamers.

An Act to amend the Civil Service Superannuation Act.

An Act to amend the Erie and Niagara Railway Company Act of 1863.

An Act to incorporate the Citizen Printing and Publishing Company, limited.

An Act to incorporate the North Star Silver Mining Company.

An Act to amend the Patent Act of 1872.

An Act to incorporate the Canada and Detroit River Bridge Company.

An Act further to amend the Act relating to banks and banking.

An Act to incorporate La Banque de St. Hyacinthe.

An Act to incorporate the Victoria Bank of Canada.

An Act to incorporate the Stadacona Bank.

An Act to incorporate the Imperial Bank.

An Act to incorporate the Dominion Board of Trade.

An Act respecting the Trinity House and Harbour Commissioner of Montreal.

An Act for the better protection of navigable streams and rivers.

An Act to incorporate Date's Patent Steel Company, limited.

An Act to incorporate the King's County Board of Trade.

An Act to extend the powers of the Montreal Telegraph Company, and for other purposes.

An Act to amend the Acts incorporating

the Queenston Suspension Bridge Company.

An Act to amend the Act respecting the construction of the Intercolonial Railway.

An Act to amend the Act incorporating the London and Canadian Loan and Agency Company, limited.

An Act to incorporate the Central Bank of Canada.

An Act to amend the Act incorporating the River St. Clair Railway Bridge and Tunnel Company.

An Act to amend the Act incorporating the Detroit River Railway Bridge Company, and to change the name of the Company to the Detroit River Railway Bridge and Tunnel Company.

An Act to incorporate the Dominion Fire and Marine Insurance Company.

An Act to amend the Act respecting Joint Stock Companies.

An Act to construct works to facilitate the transmission of timber down rivers and streams.

An Act to incorporate the Georgian Bay and Lake Ontario Shore Junction Railway Company.

An Act respecting the harbor of Pictou, in Nova Scotia.

An Act respecting the Desjardins Canal.

An Act to change the name of the Freehold Permanent Building Society of Toronto to that of the Freehold Loan and Savings Company, and to extend the powers thereof.

An Act to change the name of the Superior Bank of Canada to that of the Federal Bank of Canada.

An Act respecting the Ocean Mail Service.

An Act to incorporate the Coldbrooke Rolling Mills Company of the Dominion of Canada.

An Act to incorporate the Royal Canadian Insurance Company.

An Act to Incorporate the Maritime Warehousing and Dock Company.

An Act to incorporate the Warrior Mower Company of Canada.

An Act to make further provisions for the improvement of the River St. Lawrence between Montreal and Quebec.

An Act respecting Wreck and Salvage.

An Act to make further provisions as to duties and customs in Manitoba and the Northwest Territories.

An Act respecting the Central Prison for the Province of Ontario.

An Act to enable the Great Western Railway to further extend and improve its connections.

An Act to incorporate the Canada Car-Manufacturing Company.

An Act to incorporate the Canada Paper Company.

An Act respecting the St. Francis and Megantic Railway Company.

An Act to amend the Acts respecting the inspection of steamboats.

An Act to extend the Act passed in the thirty-third year of Her Majesty's reign, intituled an Act to amend the Penitentiary Act of 1868.

An Act respecting Aliens and Naturalization in the Provinces of British Columbia and Manitoba.

An Act to amend the Act respecting offences against the person.

An Act to remove doubts as to the construction of Section 31 of the Act 33 Vic., chapter 3 and to amend section 108 of the Dominion Lands Act.

An Act Respecting Weights and Measures.

An Act to incorporate the Dominion Express Company.

An Act to incorporate the Canadian Atlantic Cable.

An Act to incorporate the Glasgow Canadian Land and Trust Company, limited.

An Act to amend the Act respecting certain Savings Banks in the Provinces of Ontario and Quebec.

An Act for granting certain powers to the Montreal, Chambly and Sorel Railway Company.

An Act to enable the Buffalo and Lake Huron Railway to make arrangements respecting their bond debt.

An Act to incorporate the Marezzo Marble Company of Canada.

An Act to amend the Act 32 and 33 Vic., chap. 70.

An Act to unite the Beaver and Toronto Mutual Fire Insurance Companies.

An Act to amend the General Act respecting railways.

An Act to enable James K. Ward and others to place booms in the channel between Isle St. Ignace and Isle du Pads, in the parish of Isle du Pads, in the district of Richelieu.

An Act to incorporate the Insurance Company of Canada.

An Act to amend the Act to incorporate the Montreal Investment Association.

An Act to amend the Act respecting the Militia and Defence of the Dominion of Canada.

An Act to incorporate a company by the name of La Credit Foncier du Bas Canada.

An Act to incorporate the Dominion Dock and Warehousing Company.

An Act to incorporate the Canadian Metal Company.

An Act to incorporate the Canadian and West Indian Royal Steamship Company.

An Act to incorporate the Canada Mutual Marine Insurance Company.

An Act to amend chapter 58 of the Consolidated Statutes of the late Province of Canada.

An Act respecting Interest and Usury in the Province of Nova Scotia.

An Act to authorise free grants of lands to certain original settlers and their descendants in the territory now forming the Province of Manitoba.

An Act to incorporate the Pictou-

An Act to incorporate the Oshawa Board of Trade.

An Act to incorporate the Lachine Hydraulic Works Company and to grant certain powers thereto.

An Act to repeal the law of British Columbia, intituled an ordinance respecting harbor and tonnage dues, and to regulate the licenses on vessels engaged in the coasting and inland navigation trade.

An Act to amend the Act of the present session intituled an Act to incorporate the Canada and Detroit River Bridge Company.

An Act respecting the admission of the Colony of Prince Edward Island as a Province of the Dominion.

An Act to incorporate the Canada Investment and Guarantee Agency.

An Act to incorporate the Labrador Company.

An Act to grant additional power to the Quebec and Gulf Port Steamship Company.

An Act to incorporate the Merchants' Warehousing Company.

An Act to empower the Montreal Northern Colonization Railway Company to extend its line from Deep River to a point of intersection with the proposed Canadian Pacific Railway, and also to extend its line to Sault Ste. Marie, the Georgian Bay and Lake Superior, or to unite this line with the line of railway extending to the points above mentioned.

An Act further to amend the Act to make further provision for the government of the Northwest Territories.

An Act to provide for the inspection of gas and gas meters.

An Act to continue for a limited time the Insolvent Act of 1869, and the Acts amending the same.

An Act respecting pilotage.

An Act respecting the administration of justice and for the establishment of a police force in the Northwest Territories.

An Act for the readjustment of the salaries and allowances of the judges and other public functionaries and officers, and of the indemnity to the members of the Senate and House of Commons.

An Act to change the limits of the Counties of Montcalm and Joliette for electoral purposes.

An Act to make temporary provision for the election of members to serve in the House of Commons.

An Act to readjust the allowance payable to and chargeable against the several Provinces of Canada by the Dominion Government, so far as they depend on the debt with which they respectively entered the Union.

An Act to make better provision respecting election petitions, and matters relating to controverted elections of members of the House of Commons.

An Act respecting the export duties imposed on lumber by the Legislature of the Province of New Brunswick.

An Act to amend the Act 34th Vic., chap 43, intituled an Act to enable certain railway companies to provide the necessary accommodation for the increasing traffic over their railways, and to amend the Railway Act of 1868.

An Act respecting deck loads.

An Act relating to shipping, and for the registration, inspection and classification thereof.

An Act further to amend the Acts to provide for the management and improvement of the Harbor of Quebec.

An Act to amend and consolidate and to extend to the whole Dominion of Canada the laws respecting the inspection of certain staple articles of Canadian produce.

An Act further to amend the law respecting certain matters of procedure in criminal cases.

An Act to amend the Acts for more effectually preventing the desertion of seamen.

#### RESERVED.

The following Bills were reserved :

An Act for the relief of John Robert Martin.

An Act respecting the shipping of seamen.

An Act to make further provision respecting the extradition of criminals.

#### ADJOURNMENT.

His Excellency having taken his departure,

On motion of Hon. Mr. AIKINS, the Senate then adjourned till the 13th of August.