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DEBATES AND PROCEEDINGS

OF THE

SENATE OF CANADA

IN THE

Fifth Session of the First Parliament

OF THE

DOMINION OF CANADA.

JOHN GEORGE BOURINOT,

SHORT-HAND WRITER TO THE SENATE: &C.



OTTAWA:

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1872.

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DEBATES AND PROCEEDINGS

OF THE

SENATE OF CANADA,

IN THE

FIFTH SESSION OF THE FIRST PARLIAMENT OF THE DOMINION OF CANADA WHICH WAS CALLED TO MEET, FOR THE DESPATCH OF BUSINESS, ON THURSDAY, THE 11TH APRIL, A.D., 1872, IN THE 35TH YEAR OF THE REIGN OF HER MAJESTY QUEEN VICTORIA.

THE SENATE.

Ottawa, April 11, 1872.

This day, at three o'clock, P. M., His Excellency the Governor General proceeded in state to the Chamber of the Senate, in the Parliament Buildings, and took his seat upon the Throne. The members of the Senate being assembled, His Excellency was pleased to command the attendance of the House of Commons, and that House being present, His Excellency was pleased to open the Fifth Session of the First Parliament of the Dominion of Canada, with the following Speech from the Throne:

Hon. Gentlemen of the Senate.

Gentlemen of the House of Commons.

The auspicious recovery which the mercy of Providence vouchsafed from the well nigh mortal illness of the Prince of Wales, called forth a universal expression of joy

and thankfulness throughout the Empire. All classes of the people testified their deep sense of relief from the anxieties of a long and painful suspense by joining their beloved Queen in a public Thanksgiving which proved in vastness of attendance and unanimity of feeling the grandest and most impressive ceremony ever witnessed in the British Capital.

I invite you to follow the good example on the fifteenth day of this month.

It was thought advisable to defer the solemnity until after the meeting of Parliament, and I feel assured that the Members of the two Houses, as well as all Her Majesty's faithful subjects throughout the Dominion will be anxious to unite in celebrating the occasion with all becoming observance and loyal alacrity.

Your Meeting has itself been postponed to a later season than usual, upon considerations of Imperial as well as Colonial interest, and at the instance of Her Majesty's Government.

The young Province of Manitoba, was last September threatened with an invasion of lawless persons from the United States. Prompt measures for resistance were adopted by the local authorities and attended with the best results.

In order to reassure the people of the Province, and to prevent a recurrence of the outrage, I ordered a force of two hundred Militiamen to be sent to Fort Garry.

Notwithstanding the inclement season of the year the troops surmounted the difficulties of the march with energy and success, thus proving not only their own discipline and endurance, but also the value of the route through our own Territory.

The accounts of the expenditure occasioned by this expedition will be laid before you, and you will be requested to pass a Bill to indemnify the Government.

A copy of the Treaty made at Washington last year between Her Majesty the Queen and the United States of America, in which the Dominion has so great an interest, will be laid before you.

So much of the papers and of the completed correspondence as can be made public without injury to the interests of the Empire or of Canada, will also be at once submitted for your information, and your attention will be invited to this important subject.

A conference was held at Ottawa in September last, on the important subject of Immigration, at which the Government of the Dominion, as well as those of every Province, were represented.

A scheme for joint and several action was provisionally arranged, to which I invite your attention.

I do not doubt that you will be inclined to make ample provision for the encouragement of Immigration with the maintenance and extension of which the development of the vast natural resources of Canada is so vitally interwoven.

Since last Session the union of British Columbia with Canada has been happily consummated, and her representatives now take part in your deliberations.

In order to open up and settle the fertile Territories of the North West, and to link British Columbia therewith, it will be necessary for you to make provision for the construction of a Railway to the Pacific Ocean, in conformity with the terms of Her Majesty's Order in Council uniting British Columbia with the Dominion. An appropriation was made in the last Session for the preliminary Survey of the route for this Railway. The work has been diligently prosecuted, and a report of

the progress achieved will be laid before you.

You will, I trust, concur with me in thinking that the long contemplated improvement and extension of our system of Canals ought to be vigorously prosecuted.

The rapid increase in the trade of Canada, and the importance of competing for, and accommodating the commerce of the Great West, render it necessary that the means of transport by water should be cheapened and facilitated.

I have to request your serious consideration of this subject, and in connection with it, the expediency of providing a direct water communication between the Gulf of St. Lawrence and the Bay of Fundy.

The decennial Census having been taken last year, the duty of readjusting the representation in Parliament of the four Provinces originally constituting the Dominion devolves upon you now, according to the terms of the Union Act.

A measure for the purpose will accordingly be submitted for your consideration.

Among other measures, Bills will be presented to you relating to the Judges of Superior Courts—to the regulation and management of the public lands and mines of the Dominion in Manitoba and the North West Territories, and for the amendment of the laws relating to the public health.

Gentlemen of the House of Commons :

The accounts of the past year will at once be laid before you, and likewise a statement of the receipts and expenditure of the current year, up to the close of the last month.

It is gratifying to me to be able to announce to you that the revenue for the past, as well as that for the current year, will be considerably in excess of what was estimated, and that consequently there is no reason to apprehend embarrassment from the immediate commencement of the contemplated public improvements.

The estimates for the ensuing year will be submitted to you, and I trust that you will be of opinion that the supplies which my Government will ask you to vote for the service of Her Majesty can be granted without inconvenience to her Canadian subjects.

Hon. Gentlemen of the Senate :

Gentlemen of the House of Commons :

I have all the more satisfaction in recurring to your counsel and assistance at this period, inasmuch as I may congratulate you on the general prosperity of the

country, and the fortunate issue of the steps taken to unite and consolidate the vast territories which now form the Dominion.

I feel assured that you will continue to devote the same assiduity as in the past to the augmented labours, which the exigencies of more numerous constituencies and a wider sphere of operations demand at your hands, and I earnestly pray that your efforts in the path of duty may be so happily guided as to maintain peace and justice in all the borders of the land, and ensure the happiness and lasting welfare of all classes of its inhabitants.

The following Senators were introduced and took the usual oaths:

Hon. Messrs. Sutherland, Macdonald, Carrall, Cornwall, and Girard.

Hon. Mr. CAMPBELL introduced a Bill *pro forma*.

A Return of Baptisms was laid on the table.

LIBRARY OF PARLIAMENT.

Mr. SPEAKER laid before the House, the Report of the Librarian of the House of Commons, on the state of the Library of Parliament.

The House then adjourned.

FRIDAY, 12th April, 1872.

The SPEAKER took the Chair at three o'clock.

NEW MEMBER.

Hon. Mr. KAULBACK was introduced and took his seat after having gone through the usual formalities.

RETURNS.

The SPEAKER laid on the table the Librarian's Report for the present year. Also a return of Baptisms and Burials for the several districts.

MOTION.

Hon. Mr. CAMPBELL moved that when the House adjourn it stand adjourned until Tuesday next, in order to give members an opportunity of assisting in the Thanksgiving for the recovery of the Prince of Wales. He also stated that he would move an address of congratulation to Her Majesty on the same subject.

ANSWER TO THE SPEECH.

Hon. Mr. GIRARD, in proposing the answer to the Address, expressed the peculiar pleasure he felt, as one of the inhabitants of the distant Province of Mani-

toba, in giving his approval to the sentiments contained therein: He made special reference to the illness of H. R. H. the Prince of Wales, the news of which had been read with the deepest regret by the people of the North West. He need not give the House the assurance that no portion of the people of Canada sympathized more deeply with Her Majesty, or felt greater satisfaction at the recovery of the Prince than the inhabitants of that little Province in the far Western wilderness. He could not too highly approve of the reference in the Speech to Manitoba, where the people were deeply attached to British institutions and had no other desire than to give them their support, and preserve and strengthen the connection with the Dominion. He was perfectly satisfied with the manner in which the Government of Canada had acted towards that Province, and had no doubt that they would do their best to develop its resources. He had read with interest that paragraph in the Speech which referred to the Treaty of Washington, and for one would be happy to give the question that consideration which its importance required. He had no doubt that the efforts of the Government to promote immigration would have happy results to the prosperity of the Confederation. He heard with satisfaction the announcement from the Throne that the Government intended using their best efforts to construct such public works as were necessary for the development of the great resources of this country, and he hoped that the time was not far distant when the locomotive would pass through the Province of Manitoba on its way to the Pacific coast. The prosperous condition of the finances, and the Dominion generally, was to every one a subject of congratulation, and he was convinced that we had every reason to look to the future with hopefulness. With these remarks he asked permission to move the following resolution for an Address to His Excellency the Governor General in answer to his speech from the Throne:

"That the following Address be presented to his Excellency the Governor General, to offer the respectful thanks of this House to His Excellency, for the gracious Speech which His Excellency has been pleased to make to both Houses of Parliament, namely:

To His Excellency the Right Honorable JOHN, BARON LISGAR, of Lisgar and Ballieborough, in the County of Cavan, Ireland, in the Peerage of the United Kingdom of Great Britain and Ireland, and a Baronet, one of Her Majesty's Most Honorable Privy

Council, Knight Grand Cross of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor General of Canada, and Governor and Commander-in-Chief of the Island of Prince Edward.

May it Please Your Excellency:

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

We agree with Your Excellency that the auspicious recovery which the mercy of Providence vouchsafed from the well nigh mortal illness of the Prince of Wales, called forth a universal expression of joy and thankfulness throughout the Empire, and that all classes of the people testified their deep sense of relief from the anxieties of a long and painful suspense, by joining their beloved Queen in a public Thanksgiving, which proved in vastness of attendance and unanimity of feeling the grandest and most impressive ceremony ever witnessed in the British Capital.

We thank Your Excellency for inviting us to follow the good example on the fifteenth day of this month. We are glad that it was thought advisable to defer the solemnity until after the meeting of Parliament; and we assure Your Excellency that the members of this House will be anxious to unite with all Her Majesty's faithful subjects throughout the Dominion in celebrating the occasion with all becoming observance and loyal alacrity.

We thank Your Excellency for informing us that our meeting has itself been postponed to a later season than usual, upon considerations of Imperial as well as Colonial interest, and at the instance of Her Majesty's Government.

We learn with regret that the young Province of Manitoba was, last September, threatened with an invasion of lawless persons from the United States. But we are happy to be informed that prompt measures for resistance were adopted by the local authorities, and attended with the best results; that in order to reassure the people of the Province, and to prevent a recurrence of the outrage, Your Excellency ordered a force of two hundred militiamen to be sent to Fort Garry; and that, notwithstanding the inclement season of the year, the troops surmounted the difficulties of the march with energy and success, thus proving not only their own discipline and endurance, but also the value of the route through our own territory.

We thank Your Excellency for the promise that the accounts of the expenditure occasioned by this expedition will be laid before us, and we will give our most attentive consideration to the Bill to indemnify the Government which Your Excellency has been pleased to inform us we shall be requested to pass.

We are grateful also to Your Excellency for the intimation that a copy of the Treaty made at Washington last year between Her Majesty the Queen and the United States of America, in which the Dominion has so great an interest, will be laid before us, and that so much of the papers and of the completed correspondence as can be made public without injury to the interests of the Empire or of Canada will also be at once submitted for our information; and we will respond to Your Excellency's invitation by giving our best attention to this important subject.

We rejoice to learn from Your Excellency that a conference was held at Ottawa in September last, on the subject of Immigration, at which the Government of the Dominion, as well as those of every Province, were represented; and that a scheme for joint and several action was provisionally arranged, to which Your Excellency is pleased to invite our attention. We shall be well inclined to make ample provisions for the encouragement of Immigration, with the maintenance and extension of which the development of the vast natural resources of Canada is so vitally interwoven.

It gives us great pleasure to be officially informed by Your Excellency that since last Session the union of British Columbia with Canada has been happily consummated, and that her representatives now take part in our deliberations.

We thank Your Excellency for recalling our attention to the fact that in order to open up and settle the fertile Territories of the North West, and to link British Columbia therewith, it will be necessary for Parliament to make provision for the construction of a Railway to the Pacific Ocean, in conformity with the terms of Her Majesty's Order in Council, uniting British Columbia with the Dominion, and for reminding us that an appropriation was made in the last Session for the preliminary Survey of the route for this Railway; and we are glad to learn from Your Excellency that the work has been diligently prosecuted, and that a report of the progress achieved will be laid before us.

We concur with Your Excellency in thinking that the long contemplated improvement and extension of our system of Canals ought to be vigorously prosecuted,

and that the rapid increase in the trade of Canada, and the importance of competing for and accommodating the commerce of the Great West, render it necessary that the means of transport by water should be cheapened and facilitated. As requested by Your Excellency we will give our serious consideration to this subject, and in connection with it to the expediency of providing a direct water communication between the Gulf of St. Lawrence and the Bay of Fundy.

The decennial Census having been taken last year, and the duty of re-adjusting the representation in Parliament of the four Provinces originally constituting the Dominion, having devolved upon Parliament now, according to the terms of the Union Act, we shall not fail to give our best attention to the measure for the purpose which Your Excellency is pleased to inform us will be submitted for our consideration.

Our attentive consideration will also be given to the Bills relating to the Judges of Superior Courts, to the regulation and management of the Public Lands and Mines of the Dominion in Manitoba and the North West Territories, and for the amendment of the laws relating to the Public Health, which Your Excellency has also been pleased to say will be presented to us, among other measures.

We are grateful for Your Excellency for the expression of your satisfaction in recurring to our counsel and assistance at this period; and we beg leave to reciprocate Your Excellency's congratulations on the general prosperity of the country, and the fortunate issue of the steps taken to unite and consolidate the vast territories which now form the Dominion.

Your Excellency may rest assured that we shall continue to devote the same assiduity as in the past to the augmented labors which the exigencies of more numerous constituencies and a wider sphere of operations demand at our hands; and we unite with Your Excellency in earnestly praying that our efforts in the path of duty may be so happily guided as to maintain peace and justice in all the borders of the land, and ensure the happiness and lasting welfare of all classes of its inhabitants.

Hon. Mr. ROBERTSON, said in seconding the Address, that it was not necessary that he should detain the House at any length after the very eloquent remarks that had fallen from the gentleman who had preceded him. He might say at the outset that he thought the House might safely assume that the people of the Do-

minion had great cause for thankfulness when they considered the state of Canada as a whole. There was one subject on which there could be no difference of opinion—namely, the auspicious recovery of His Royal Highness the Prince of Wales, which was a subject for rejoicing to the people of every part of the British Empire. The state of the finances was exceedingly satisfactory, and he had no doubt that with judicious management there would be no necessity for increasing the burthens of the people of the Dominion. The revenue of the country appeared to be perfectly sufficient at the present time, not only for the ordinary expenses of the Dominion generally, but for the purpose of extending and improving the communications of the Dominion by means of Canals and Railways. He hoped that the scheme for the encouragement of Immigration would lead to the early settlement of our newly acquired possessions, and no effort should be wanting to carry out this object so indispensable to the progress of a young country.

Hon. Mr. JETELLIER DE ST. JUST said that it was not his intention to provoke discussion after the remarks that had fallen from the two gentlemen who had just resumed their seats. He congratulated the House on the presence of the members from Manitoba and British Columbia, and there could be no doubt in the minds of any one that they would render very valuable assistance to the work of legislation. He was confident that the remarks made by the hon. gentleman from Manitoba—that the people were deeply attached to British institutions—were heard with peculiar satisfaction by the House, and would be read with pleasure by the people of the whole Dominion, who had no other desire than to see that section peaceful and prosperous. He hoped that whenever the Government took measures for connecting Canada with British Columbia, they would adhere to the resolution they had brought up in the other branch—that the line should be constructed, not at the expense of the Dominion, but through the agency of companies (hear, hear, from Ministerial benches). In conclusion he expressed his hope that the Government—and he referred especially to the Minister for Marine and Fisheries—would take speedy measures to improve the navigation of the St. Lawrence, so as to prevent such casualties as occurred last year.

Hon. Mr. DICKEY said that since the controversial discussion had arisen it would be a breach of Parliamentary eti-

quette and propriety to make any lengthy remarks. He did not intend to make a speech, but simply wished to express the satisfaction he felt as a representative of Nova Scotia to find that the Government intended opening up water communication between the Bay of Fundy and the Gulf of St. Lawrence—a scheme in which he had always taken the deepest interest and had done his best to promote under the conviction that it would be a great benefit to the whole country.

In answer to Hon. Mr. BUREAU,

Hon. Mr. CAMPBELL stated that the papers relative to the Treaty would be laid on the table at the same time they were submitted to the Commons, though he could not state the exact day; and there would be ample opportunity given for discussion.

The Address was adopted.

Hon. Mr. CAMPBELL moved, seconded by Hon. Mr. MITCHELL that the said Address be presented to His Excellency by such members as are members of the Privy Council. Carried.

The House then adjourned until Tuesday at 3 o'clock.

OTTAWA, April 16th, 1872.

The SPEAKER took the Chair at 3 o'clock.

NOTICES OF MOTION.

Hon. Mr. SANBORN gave notice that he would enquire of the Government whether it is their intention to introduce a bill to amend the law respecting patents and inventions.

Hon. Mr. MILLER.—Whether it is the intention of the Government to maintain a force for the protection of the coast fisheries and whether the Imperial authorities will co-operate.

Hon. Mr. BOTSFORD.—Whether the Government propose to adhere to the broad gauge for the Intercolonial Railway.

BILLS.

Hon. Mr. CAMPBELL introduced a Bill to amend the Act respecting the Statutes of Canada.

Hon. Mr. AIKINS introduced a Bill respecting the Public Lands of the Dominion.

RETURNS.

Hon. Mr. AIKINS presented a return with respect to corporal punishment.

Hon. Mr. MITCHELL presented the an-

nual Reports respecting Trade and Navigation and Inland Revenue.

H. R. H. THE PRINCE OF WALES.

The order for the day, Address of congratulation on the recovery of His Royal Highness the Prince of Wales, was then taken up.

Hon. Mr. CAMPBELL said—I am confident that the House will cordially, and with one voice, unite in the congratulations which it is proposed that the Parliament of Canada should offer to Her Majesty on the happy recovery of His Royal Highness the Prince of Wales. We have taken the earliest opportunity after the Speech from the Throne had been answered, to submit to this House the Address containing these congratulations, and every hon. member will, I am sure, gladly seize the earliest opportunity of tendering them to Her Majesty. We all remember the universal anxiety which was felt in this country during those gloomy days when H. R. Highness's life was in danger. If I may venture to gauge the experience of other hon. members by my own, I may safely say that that anxiety was spread over the whole Dominion, and pervaded every fire side. It was not merely that we loved the Queen with the respectful attachment and homage of a free people, and felt deeply the great personal sorrow with which, for the second time, she was threatened. Nor merely that we sympathized tenderly and truly with the courageous and noble wife of the Prince; but we believed the nation to be passing through a time of considerable political uneasiness, for many old landmarks of the country had been attacked, and a disposition had manifested itself amongst a portion of the British public, an active portion, to attack others, stimulated more or less by success, and strengthened by numbers, whose views went infinitely beyond any expressed, or perhaps held, by its leaders. Under these circumstances, the Prince's life was in danger, and when we reflected on the probable effect upon the Queen's health of a fatal termination of his illness, and on the tender years of the young Prince Albert Victor, we knew that we had cause for deep concern. And now that the sorrow with which the Queen and the Nation were threatened has passed by, we rejoice with a joy as all pervading as were our grief and our sympathy. We heartily pray that H. R. H.'s life may long be spared, and that his reign, when it shall please God to call him

to the Throne, may long perpetuate the constitutional rule under his Royal mother's administration, under which we and all her subjects have so long enjoyed the blessings of free and just government. I am confident that, notwithstanding the teachings of a small and narrow-minded school of political philosophers, the people of England will respond to the sentence with which this address is closed, and which so entirely speaks the sentiments of this House in assuring Her Majesty of our "unswerving attachment to the Empire, and of our devotion to her Throne and Person" With these words, I now beg leave to propose the following Address of Congratulation :

To the Queen's Most Excellent Majesty :

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's dutiful and loyal subjects, the Senate of Canada in Parliament assembled, humbly approach Your Majesty to offer You our earnest congratulations, on the restoration to health of His Royal Highness the Prince of Wales.

The visit of His Royal Highness to British North America, and the acquaintance which he then made with its people, have served to render their sympathy during his illness the more keen, and we humbly assure Your Majesty that Your subjects in Canada are deeply thankful to Almighty God for the happy recovery of the Prince.

Your Majesty's Canadian subjects of all creeds and races participated in Your Majesty's affliction whilst His Royal Highness' life was in danger, and we humbly trust that Your Majesty will graciously suffer us to unite in the congratulations which, by acclamation from all parts of the Empire, have greeted Your Majesty on the passing away of the great calamity with which the nation was threatened.

We desire humbly to renew to Your Majesty the expression of our unswerving attachment to the Empire, and devotion to Your Majesty's Throne and Person.

Hon. Mr. LETELLIER DE ST. JUST, who followed in French, said that it was with the most unfeigned pleasure that he rose to second the Address, which had just been moved by the Hon. Postmaster General. He could reiterate what that hon. gentleman had said so forcibly, that the whole population, without respect to class or creed, had heard with the deepest sorrow the news of the illness of H. R. Highness the Prince of Wales, and had sympathized most sincerely with his august mother and wife in their great sorrow. He could also testify to the joy that pervaded all classes when the cause for

anxiety was at last removed, and the British Empire was saved from the sad calamity of the death of the heir to the British Crown. Happily, however, all danger to British institutions had been averted by his recovery, and the attachment of all classes of the people to the Crown strengthened by the event which had caused so much sorrow and anxiety throughout the length and breadth of the British Empire.

The Address was then ordered to be engrossed, signed by the Speaker, and sent to the Commons for their concurrence.

DECEASED SENATORS.

The SPEAKER having informed the House of the death of Senators H. E. J. Duchesnay and Bill,

Hon. Mr. CAMPBELL moved an adjournment of the House out of respect to those gentlemen, and in doing so, alluded particularly to Senator Duchesnay, with whom he had a longer and more intimate acquaintance than he had with Senator Bill. That gentleman had been like himself, long connected with the Conservative party, and was a member of an illustrious French Canadian family, whose name was perfectly familiar to every student of those times when the French were the rulers of Canada. The late Senator was a worthy scion of that stock, and had always fulfilled most honourably and consistently all his public duties, while not a few present could also testify to his courteous demeanour and other admirable personal traits.

Hon. Mr. HOLMES spoke of his acquaintance with the late Senator Bill, who had always been most upright and honorable in all his relations with the world.

Hon. Mr. ARMAND seconded the motion of the hon. Postmaster General, and referred to the high descent of the late Senator Duchesnay, to his amiable qualities and to his sincere desire to perform strictly and honourably his obligations as a public man. He had left behind him very many friends who would always preserve his memory fresh in their minds.

The House then adjourned.

WEDNESDAY, April 17, 1872.

The SPEAKER took the chair at 3 o'clock.

NOTICES OF MOTION.

After presentation of a number of Petitions from Dominion Board of Trade, Grand Trunk Railroad Company, Montreal

and Champlain Railroad Company, Ship-owners and Ship Chandlers of Ontario, &c.

Hon. Mr. SANBORN gave notice that he would move for copies of all correspondence between the Dominion Government and Local Governments of Ontario and Quebec, with respect to the Provincial Arbitration.

Hon. Mr. CAMPBELL laid on table list of Standing Committees of the Senate, which Government intended moving.

Hon. Mr. BOTSFORD gave notice that he would move for an address, praying for return, giving certain information respecting European & North American Railroad, and that portion of the Intercolonial Railroad, extending to Amherst, N. S.

Hon. Mr. CAMPBELL presented Address from His Excellency the Governor General, laying before the House certain Census returns.

The House then adjourned.

THURSDAY, April 18, 1872.

The SPEAKER took the chair at three o'clock.

PETITIONS.

The following petitions were read :

Of the Corporation of the Town of Woodstock, in the Province of Ontario.

Of Sir W. E. Logan, F.R.S., and others of the City of Montreal, of Sir Hugh Allan, President of the Montreal Telegraph Company, and of the Board of Trade of the City of Montreal.

Of Messrs. Jones and Miller, and of Wm. Lewis and others connected with Shipping in the Province of Ontario.

Of the Caughnawaga Ship Canal Company.

STANDING COMMITTEES.

Hon. Mr. CAMPBELL moved, seconded by Hon. Mr. MITCHELL, that the following be Standing Committees of the House :

PRINTING—Hon. Messrs. Aikens, Bureau, Burnham, Carrall, Chapais, Dumouchel, Ferguson, Girard, Hazen, Holmes, Locke, Olivier, Reesor, Sanborn, Simpson and Skead.

LIBRARY—Hon. Messrs. Allan, Blake, Bourinot, Chaffers, Chapais, Cormier, Cornwall, Ferguson, Girard, Hazen, Lucoste, Leonard, Locke, Macfarlane, Malhiot, Mills, Odell, Panet, Reesor, Renaud and Steeves.

STANDING ORDERS AND PRIVATE BILLS.—Hon. Messrs. Aikens, Allan, Archibald, Armand, Botsford, Bourinot, Cornwall, Dever, Dickson, Ferrier, Flint, Girard,

Guevremont, Hazen, Letellier de St. Just, Miller, Northup, Olivier, Panet, Perry, Sanborn, Steeves, and Hon. Mr. Campbell.

BANKING, COMMERCE, AND RAILWAYS.—Hon. Messrs. Bureau, Chapais, Churchill, Ferrier, Foster, Hamilton (Kingston), Kaulback, McDonald (Toronto), McLelan, McMaster, Macdonald (Victoria), Macpherson, Malhiot, Mitchell, Robertson, Ryan, Simpson, Skead, Smith, Sutherland, Tessier, Wark, Wilmot, and Wilson.

CONTINGENT ACCOUNTS.—Hon. Messrs. Armand, Benson, Botsford, Burnham, Carroll, Chapais, Christie, Dickey, Dickson, Dumouchel, Hamilton (Inkerman), Letellier de St. Just, McClelan, McDonald (Toronto), Macfarlane, Macpherson, Miller, Mitchell, Mills, Read, Ryan, Seymour, Shaw, Tessier, and Wilson.

PATENTS.

Hon. Mr. SANBORN made the following enquiry of the Government :—Whether it is the intention of the Government during the present Session of Parliament, to introduce a Bill to amend the Law relating to Patents for Inventions, so as to permit citizens of other countries to obtain Patents on the same terms as citizens of the Dominion can obtain them in foreign countries ; not giving to foreigners in any case better terms than to our own citizens ?

Hon. Mr. CAMPBELL—It is the intention of the Government to introduce a bill making more liberal the existing law respecting Patents ; but it will be more convenient hereafter to state its precise details.

THE FISHERIES.

Hon. Mr. MILLER asked :—Whether it is the intention of the Government to maintain a force for the protection of the Coast Fisheries during the coming season, and if so, will the Imperial Government co-operate in the service ?

Hon. Mr. MITCHELL—It is the intention of the Government to place the usual force on the service to which my hon. friend has referred, and it is also the intention of the Imperial Government to give such directions as will ensure the co-operation of Her Majesty's fleet with the cruisers of the Dominion.

Hon. Mr. LOCKE—Is the force to be placed on the service at once ?

Hon. Mr. MITCHELL—One vessel has already received orders to proceed to the Magdalen Islands in connection with the herring fishery. The mackerel fishery which requires the most vigilance on our part, does not come on till later, but we

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Hon. Mr. LOCKE—Are not the salaries in Ontario higher than those in the other Provinces?

Hon. Mr. CAMPBELL—They are somewhat higher.

Hon. Mr. WILMOT referred to the increase in the cost of living within the past ten years, and the propriety of equalizing the salaries of the Judges, especially in view of the large contribution to Customs by the Maritime Provinces—larger in proportion than that made by the old Province of Canada. He could not understand why such a distinction should be made in the case of men so highly qualified to fill the position as were the Judges of the Maritime Provinces.

Hon. Mr. MITCHELL agreed with the remarks of his hon. colleague that the question of salaries might have to be dealt with in another Parliament.

Hon. Mr. LOCKE was curious to know whether there was to be a radical change in that new Parliament to which reference was made (laughter).

STATUTES.

The House then went into Committee, Hon. Mr. Hamilton in the Chair, and passed the Bill with respect to the custody of the Statutes of Canada.

MESSAGE.

Hon. Mr. CAMPBELL announced a Message from His Excellency graciously acknowledging receipt of the Address of the Senate.

TUESDAY, 23rd April, 1872.

The SPEAKER took the chair at 3 o'clock.

PRIVATE BILLS.

Hon. Mr. HAZEN, from the Committee on Standing Orders and Private Bills, reported favourably on the following petition, recommending in case of several suspension of ordinary rule with reference to notice:

Of Messrs. James Domville & Co., and others of the City of St. John, in the Province of New Brunswick; praying for the passing of an Act to authorize them to establish a Banking Institution in the said City of St. John.

Of W. H. Howland and others of the City of Toronto; praying to be incorporated as "The Toronto Corn Exchange Association."

Of the Detroit River Tunnel Company; praying for the passing of an Act to amend their Act of incorporation, so that bonds may be issued on the guarantee of Rail-

way Companies using the Tunnel and for other purposes.

Of the St. Lawrence and Ottawa Railway Company; praying for the passing of an Act to amend their Act of incorporation, to authorise a further extension of their Railway, and for other purposes.

Of the Grand Trunk Railway Company of Canada, aforesaid; praying for the passing of an Act, to create a third mortgage upon the lines and property of the Montreal and Champlain Railway Company, newly purchased by the said Grand Trunk Railway Company of Canada, and for other purposes.

Of J. C. Fitch and others of the City of Toronto; praying to be incorporated as "The Bank of Canada."

QUESTION OF "COPYRIGHT."

Hon. Mr. RYAN—In pursuance with the notice which is on the minutes I rise to move,

"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 20th February, 1871, in relation to the question of Copyright, as well as to that of re-printing British Copyright works in Canada."

It will be in the recollection of the House that for the last four years a motion similar to this, or having relation to this subject, has been proposed by myself, and addresses based on the motion have been regularly adopted by the Senate, but I am sorry to say that, although the question is one of great importance to the interests of the country no result of any moment has, so far, been produced by these frequent addresses, or the representations made by the Canadian Government to the British authorities in relation to the matter. Honourable gentlemen will probably recollect the history of this question. In 1868 when the first address of the Senate was passed we found it in this position. There was then a right which was acquired from the Imperial Government in 1849, to import British copyright books from the United States on the payment of a small duty, on condition of this duty being set aside to form a fund for the benefit of the author. This was intended as a concession to Canada, so that cheap literature might be imported into the country. But as time went on, and our printing, like other industrial interests, increased, those who were engaged in the publishing business felt it a grievance that whilst they were prevented from printing copyright works, their importation from a foreign country was actually allowed under the condition

mentioned. The object of the Address which was presented to His Excellency at that time was to remove this grievance by giving the same right to our printers and publishers of printing British copyrights as was accorded, and still is accorded, to American publishers on the other side of the line. Our capabilities for printing such works cheaply were as great then as those possessed by the Americans—perhaps more so; and we appealed on the subject to the British Government through His Excellency the Governor General, and that Address was followed by despatches from the Government, which were brought down to this House on our motion in due course. The representation was made to the British Government that, as soon as ever measures were taken for the protection of the interests of the British authors in the shape of an excise, permission should be given for the reprinting of British copyrights in Canada. I need not go through the various negotiations which have passed since 1868 between our Government and that of Great Britain. You will recollect perhaps one important fact which I mentioned last year, and that was, that the prospect of an International Copyright Treaty with the United States was the chief impediment to having our wishes complied with. Great hopes were held out that that Treaty would be accomplished, but it fell to the ground, and there is no appearance at present that such a measure will be carried out. We are therefore precisely in the same position that we were in 1868 on this subject with this exception, that negotiations have been going on at different times between the Government here and the Imperial Government. In return to the address presented last year a new paper was sent down, and which has not yet been specially brought to the notice of the House though it is amongst the papers which were printed. In the Sessional Papers, No. 43. I find a report from the Minister of Finance and the Minister of Agriculture to the Governor General and Privy Council. They say: "What the undersigned would venture to suggest is that the duty on the re-prints of books first published, either in Great Britain or its dependencies, when imported from foreign countries, should be materially increased."

The object evidently of this suggestion was to put an end to importations from the United States but it is obvious that to do away with the power of importing these works would, of course, increase the cost of literature in this country unless we are allowed to reprint them our-

selves. We are yet, perhaps, too poor a country to pay European prices for the literature which we require. The report goes on to say: "And that it should be levied in all cases for the benefit of the author or owner of the copyright, should such exist." Every gentleman will be prepared to join in the justice of that recommendation, that whilst we ask privileges of this sort we should certainly make provision for the benefit of the author whose work we should publish in this country. The object we have in view is to benefit the British author as well as the Canadian publisher whose interests are identical. The only interest that would be injuriously affected would be the British publishers, and they have, I believe, thrown many impediments in the way of our acquiring the privilege which we ask for. "And to prevent evasion of the law, a declaration should be requested from importers that any works which they may claim to import free of such duty have never been published either in Great Britain or in British dependencies; that foreign reprints of works published in Canada should be wholly prohibited; that any author publishing in Canada should be, as at present, protected in his copyright, but that, unless British copyright works should be published concurrently in Canada, licensed Canadian publishers should be allowed to publish, paying for the benefit of the author or owner of the English copyright an excise duty which could be collected by means of stamps as easily as other duties of a similar kind. The undersigned have no doubt that such a scheme as that which they have suggested could be carried into practical effect with great advantage to the English authors, who, as a rule, would sell their copyrights for Canada to Canadian publishers. It is true that British publishers would not gain that colonial circulation which they have long tried to obtain without success; but it is vain to expect that the expensive editions published in England can meet a sale in any part of the American continent." Since these communications have passed between the two Governments, others, no doubt have, followed, and I hope that there will be no objection to showing the position of these further negotiations with as little delay as possible. Although it may appear to some that the subject has been followed up, perhaps too persistently, yet, I believe, nothing but persistence and energy in urging this matter on the Imperial Government will bring it to a successful issue. Since I gave notice of my motion I have thought that it would be

perhaps advisable to make an addition to show British authors how little benefit they receive from the present mode of collecting duty on American reprints of their works coming into Canada. I would therefore propose to add to the words of my motion as printed: "Also a return showing the amount of duty collected upon copies of British copyright works imported into the Dominion from the United States during the fiscal year 1870-71, as well as the amount of such duties as have been paid to the author or authors of such works." It now just comes to my recollection that a voluminous correspondence on the subject of copyright appeared in the *London Times*, not many months ago, and amongst many authors, who then made known their complaints, the Archbishop of Dublin wrote a letter in which he complained of the very small return received from Canada, and rather reflected upon the management of our Customs in collecting the duty for the benefit of British authors. I think he said that although one of his works was widely circulated in Canada, yet all he received was something like six shillings and eight pence, or some such trivial sum. There is no doubt whatever that large numbers of such works are smuggled into this country from the United States, but in addition to this many pass the Custom House, because of the absence of timely returns from the proper authorities in England. I have no doubt, knowing as I do something of the slowness with which public departments move, that returns of copyright works only come out some time after they have appeared in England, and have been copied in the United States, and consequently are not in the possession of our Customs officers, as soon as the American reprints are sent in. The officer looks at his lists, and not seeing the work mentioned in them, allows the books to pass free. Under such circumstances it will be easy to explain why such a small amount is collected on American reprints for the benefit of authors. As a forcible illustration of the position in which our publishers are now placed, I may mention that a well known gentleman in Montreal—I refer to the compiler and publisher of the Dominion Directory—who has labored long and earnestly in this matter, has been forced to establish a printing office at Rouses' Point, across the frontier, in order that he may be in a position to compete with American publishers. I do not attempt to justify or offer an opinion on this proceeding; I give it simply as an example of the effect of the present system upon our

printing industry. We should certainly endeavour to encourage Canadian publishers and keep them in the country, instead of forcing them across the border. In my motion, I refer to correspondence with "person or persons," as well as with the Government for I understand that a correspondence has been going on with influential individuals on this question, and a letter has been written by a distinguished gentleman, Sir Charles Trevelyan, approving of the action and demands of the Canadian Government on the subject. I believe such correspondence should encourage our Government to prosecute this object with vigor, and use every effort to obtain the very desirable boon we have so long been asking.

Hon. Mr. CAMPBELL replied: I may say at once, I believe there is no official correspondence after that to which my hon. friend has referred—the report of two members of the Government on the subject, which was sent to England. There has been, however, some unofficial correspondence, and the hon. gentleman is right in mentioning the name of Sir Charles Trevelyan, but I do not know if it can be brought down. I would suggest to my hon. friend that he also add to his motion a request for a return which will show the dates at which the copyright lists come out to this country; and then the whole case will be laid before the public. My hon. friend deserves to succeed—he has persevered, session after session, since Confederation, and I may add that his efforts have not been confined to this House, but have been exerted, with the same object in view, during the vacation, both in this country and in England. The Government are entirely in accord with the hon. gentleman on the question, and hope that now, since there is no prospect of an International Copyright Treaty, they will be able to come to some satisfactory arrangement with the British authorities.

In accordance with the suggestion of

Hon. Mr. CAMPBELL,

Mr. RYAN added the following words to his motion:

"And further a return stating at what dates and periods with reference to the dates of publication, lists of works which are copyrights are transmitted from the proper department in London to the proper department for collecting the duties on copies of such copyright works in this country."

Hon. Mr. BUREAU made a few remarks, but they were not audible to the reporter.

The motion, as amended, then passed.

PICTOU RAILWAY.

Hon. Mr. DICKEY asked the Government whether it is intended to afford increased facilities for the conveyance of coal over the Government line of railway, between Pictou and Halifax, in Nova Scotia, and in doing so, he stated that there had been actually a coal famine last March in Halifax. The carrying capacity of the line was unequal to the public requirements.

Hon. Mr. CAMPBELL replied that it was intended to afford increased facilities on the line in question—in fact, the Minister of Public Works had already commenced to make improvements in the direction required.

STATUTES.

On motion of Hon. Mr. CAMPBELL the bill in respect to the custody of the Statutes was read a third time, and sent to the Commons for their concurrence.

The House then adjourned.

WEDNESDAY, 24th April, 1872.

The SPEAKER took the Chair at three o'clock.

COPYRIGHT.

Hon. Mr. RYAN presented a petition in reference to Copyright from the Dominion Board of Trade, and again called attention of the Government to the subject.

POSTAL STEAM COMMUNICATION WITH WEST INDIES.

On the presentation of a petition by Hon. Mr. DICKEY in reference to direct Steam Communication between Canada and West Indies and Brazil.

Hon. Mr. CAMPBELL stated that there was a prospect of that communication being afforded at no distant date; for favorable propositions were now under the consideration of the Government—of course he could not say whether they would be accepted or not—who were very desirous of securing the communications in question.

Hon. Mr. RYAN—With the Foreign or British West Indies?

Hon. Mr. CAMPBELL—It was hoped that it would be arranged that the proposition would extend to the British as well as Foreign West Indies.

PRINTING.

Hon. Mr. SANBORN presented report Joint Committee on Printing, approving of the action of Mr. Hartney in reference

to the printing of Mr. Dawson's report. Report to be considered on Monday.

NAVIGATION OF ST. LAWRENCE.

Hon. Mr. LEFELLIER DE ST. JUST asked whether it is the intention of the Government to provide effectually for the protection of the navigation of the St. Lawrence, either by stationing tug boats of the necessary tonnage and power to relieve, and help to save vessels, and the crews of vessels leaving the Ports of Montreal and Quebec annually, during the last days of the season of navigation, or by encouraging Companies for that purpose.

Whether it is the intention of the Government to grant rewards to those residents on the South Shore of the St. Lawrence, in the Counties of L'Islet and Kamouraska, who, at the risk of their lives, succeeded in saving the crews of vessels abandoned in the midst of the ice during the severe cold of last autumn,

Hon. Mr. MITCHELL replied that it was not the intention of the Government to station tug-boats at any particular points for the purpose of relieving vessels. The Government laid it down as a principle of action not to interfere with the enterprise of private companies when they were equal to the performance of the service. The Quebec Tug Boat Company was efficiently conducted, he understood from members of the mercantile community. Only when the services of such companies could not be obtained, and life and property were in peril, were the Government justified to step in. Indeed, the Government had no boats which could be detailed for such a service. The *Druid* was unfit, while the *Napoleon* was indispensable for the performance of the remote Light House Service. With respect to the latter part of the first question the Government had always done its best to assist said vessels. With reference to the second question there was a sum of money put in the Estimates last year as a reward for those who had made themselves conspicuous for saving life and property. Applications were now under the purview of the department in relation to the heroism of the habitants of L'Islet and Kamouraska, and they would receive that attention to which they were entitled.

FISHERIES.

Hon. Mr. SANBORN gave notice of an enquiry with reference to expenses incurred last session by British and Canadian Governments in protecting the Fisheries. The House then adjourned.

THURSDAY, 25th April, 1872.

The SPEAKER took the chair at 3 o'clock.

PETITIONS

Hon. Mr. SANBORN favorably reported from Committee on Standing Orders and Private Bills on following petitions:—

Of W. H. Gault and others of the City of Montreal, praying to be incorporated as "The Exchange Bank."

Of the British American Assurance Company; praying for the passing of an Act to alter and amend their Act of incorporation in certain particulars.

Of the Great Western Railway Company; praying that the restrictions of the one hundred and thirty-first clause of the Railway Act may be modified, and that the power of loaning and guaranteeing may be defined.

Of H. S. Howland and others, of the City of Toronto, praying to be incorporated as the "Pacific Junction Bridge Company," for the purpose of constructing a Railway or other Bridge over the river Ste. Marie, near the Sault Ste. Marie.

Of the Caughnawaga Ship Canal Company, praying for the amendment of the Act of Incorporation.

BAY VERTE CANAL.

Hon. Mr. DICKEY asked the Government whether the Report of the Survey of a Canal to unite the waters of the Gulf of Saint Lawrence with the Bay of Fundy will be submitted to Parliament, and when?

Hon. Mr. CAMPBELL replied that it would be presented during the present session. The Engineer, who had been directed to report on the Canal unfortunately fell ill, and the report was consequently delayed. It was now under consideration of Mr. Page, and would be laid before Parliament as soon as possible.

WELLAND CANAL.

Hon. Mr. BENSON said that since he had given notice of his enquiry with respect to the supply of water for the Welland Canal, he found there was an item already in the Estimates. It was, however, very desirable to know what action the government intended to take in connection with this matter, for the parties interested were very anxious on the subject. Two propositions for remedying existing difficulties were before the government, and he hoped they would soon be in a position to state their decision.

Hon. Mr. CAMPBELL replied that his hon. friend had seen there was an item in

the estimates, and consequently his enquiry was answered. It was the wish of the government to expend the money so that the object desired might be accomplished this season. The two plans proposed for increasing the supply of water had been reported upon by the Engineers, and elaborate reports in connection therewith were now before the Board of Works, but he did not know what conclusion would be arrived at by the Department.

FISHERIES.

Hon. Mr. MITCHELL laid on the table the Annual Report of the Department of Marine and Fisheries.

The House then adjourned.

FRIDAY, 26th April, 1872.

The SPEAKER took the chair at 3 o'clock, p.m.

BRITISH COLUMBIA.

Hon. Mr. MITCHELL laid on the table the report of the Hon. Mr. Langevin's visit to British Columbia.

CAPE BRETON.

Hon. Mr. BOURINOT—I now beg leave to make the following enquiry of the Government—Whether the Government have received a Report of the Survey which they ordered to be made for opening a Canal between the waters of the Bras d'Or at East Bay and Sydney Harbour, and in continuation of St. Peter's Canal, thereby facilitating the growing trade of the most extensive Coal mines of the Dominion situate in Cape Breton;—and if such Report has been received, to request the Government to lay it on the Table of the House? Also, whether it is the intention of the Government to prosecute the proposed work at an early date? My chief reason for making this enquiry is this,—that some time ago a public meeting was held at Sydney to take this matter into consideration, and at that meeting my hon. colleague (Mr. Archibald) and myself were asked to act in concert with the hon. gentleman who represents the county in the Commons. On the occasion of that meeting, I took a somewhat prominent part, and therefore I may be allowed to make a few remarks in relation to the subject. It has been replied elsewhere to a somewhat similar enquiry—that the engineer who was to be sent to examine the St. Peter's Canal, would also examine the ground through which it is proposed to construct the work in question. I may state, however, that a Government Engineer, Mr. MacNab, has already taken

a survey of the route, and I presume his report is in the hands of the Government. With respect to St. Peter's Canal, it is well known that it is too narrow for the large class of vessels who are likely to make use of it. If the work in question is opened up, there is no doubt whatever that the amount of shipping that will avail itself of both canals will be very large in the course of time, inasmuch as they will afford such admirable facilities for reaching the very valuable coal mines of Sydney. Instead of being exposed to the dangerous navigation of the Atlantic coast of the Island at certain seasons, especially dangerous in the vicinity of Scattarie, these vessels will be enabled to avail themselves of the secure passage by the inland waters of the Bras d'Or Lake and Spanish River up to the wharves at Sydney where they can load with celerity. It must be borne in mind that the coal mines of Cape Breton are the most extensive in the Dominion, and are already connected with the noble harbor of Sydney by lines of railway. In the face of the hostile American tariff, the coal export is still two thirds of the whole sent out of Nova Scotia; and under a more favorable commercial arrangement with the United States, the production must, in the course of time, reach to millions of tons annually. We have already great facilities in the shape of railways and wharves for carrying on the trade, and eventually Sydney must become one of the largest and busiest towns of the Dominion. We also expect one day to see the mines connected with Louisbourg, an admirable harbour, open at all seasons, and the nearest Atlantic port of the Dominion to Europe. I am quite sure that the attention of the Government will be drawn to this flourishing section of Canada, and that they will not fail to consider its requirements, and grant those sums of money which are absolutely necessary for the development of its large industrial resources.

Hon. Mr. CAMPBELL—I asked the hon. gentleman who is at the head of the Public Works whether there was any report on the subject, and understood from him that none was in the possession of the Department. Now that my hon. friend has referred to the report of Mr. McNab, I will make further inquiry into the subject. I was also informed by the Minister of Public Works that it is his intention to instruct the engineer detailed, to examine the St. Peter's Canal, also to report on the work proposed between Bras d'Or and Sydney River. Of course, when that report is received, the Government

will be in a position to state something definite with respect to the Canal in question. I had the pleasure last summer of visiting Sydney in company with my hon. colleague, the Minister of Marine and Fisheries, and seeing the hon. gentlemen opposite (Hon. Messrs. Archibald and Bourinot), and I confess I was both delighted and astonished at the spaciousness and security of the harbour—decidedly not surpassed on this continent. When I consider the existence of its extensive coal mines, and their close proximity to the sea, I can have no doubt as to the future of the fine Island to which my hon. friend has just referred. I trust that he will believe that the Government are anxious in every way possible to promote its prosperity. When I look at the Bras d'Or Lake, I can easily believe that screw steamers, likely hereafter to take the place of sailing vessels, would follow the route proposed to be established.

Hon. Mr. BOURINOT—There are now several screw steamers on their way from Great Britain, to enter into the coal trade of Cape Breton.

Hon. Mr. CAMPBELL—Therefore the navigation of the Bras d'Or is more important than ever. The Government will not fail to give the subject all the consideration to which it is entitled.

MANITOBA JUDICIARY.

Hon. Mr. GIRARD asked the Government—When does the Government intend to complete the judicial organization of the Province of Manitoba, and to appoint Judges for the administration of justice within the limits of that Province?

Hon. Mr. CAMPBELL—I beg to say that the official copy of the Act under which the judiciary of Manitoba has been arranged, has been only recently received in this part of the country, and that we have not yet had time to make the appointment of the judges required under its provisions. The Government, however, expect that the organization of the judiciary in the Province will be completed at an early date.

MANITOBA LAND QUESTION.

Hon. Mr. GIRARD—As this honorable House is aware, I am one of the representatives of that new Province, whose organization is still far from being completed so as to meet the wants and necessities of the people. You must have seen by the public prints that there has been a good deal of discontent in the Province on account of the land question. I have just

received a letter from a member of the Legislature informing me that there exists considerable agitation on the subject; and it is therefore very advisable that the question should be arranged as soon as practicable. The Province is young yet, but has immense capabilities for progress, and it no doubt will fill an important place in the future among the members of the Confederation. It is, therefore, very necessary that every care should be taken to remove all causes of dissatisfaction in the Province, especially with respect to the public lands. The people of Manitoba do not yet thoroughly understand all the laws and regulations with respect to the question, but they are loyal and honest. When an engagement has been solemnly entered into, they believe it ought to be carried out as soon as possible; and therefore they are very anxious on the subject of the division of the land grant made some time ago. It is for the interest of the Government and of the whole Confederation to deal with this question as expeditiously as possible. No portion of the people of the Dominion are more attached to the institutions which they now enjoy; and I hope to be able to return to them with the knowledge that their just claims have been granted by the Government. With these remarks I ask permission to inquire—Whether the Government have adopted measures:

1st. For putting an end to the existing difficulties and confusion in the Province of Manitoba on the subject of the public lands.

2nd. For the division, as soon as possible of the 1,400,000 acres of land appropriated for the half-breed residents of Manitoba among those who have a right thereto, and if not, what measure the Government intend to adopt for the purpose of putting an end to these difficulties?

Hon. Mr. AIKINS—In respect to the first question, I may say that the Government have adopted measures for allaying any discontent that may at present exist in the Province. It is well understood that the half-breed lands could not be selected until the surveys were sufficiently far advanced. During the past year some twenty surveyors were sent into the Province, and the work has been very energetically prosecuted, as the map I shall now lay on the table will clearly show. These surveys are now sufficiently far advanced to enable a selection of the lands to be made. The Lieutenant Governor has been communicated with, and asked to make the selection. The rights of

existing settlers are to be respected—certain sections are to be retained in certain townships for the Hudson's Bay Company—also a certain section for school purposes. The wood lands are also to be divided so that a portion will be retained for the use of immigrants. With reference to the second question, I may reply that until the rear line of the settlements was fixed, the allotment could not be made. Instructions have been given by the department to complete this rear line as soon as possible, and it is expected that by the fall patents will be issued to at least one half of the half-breeds. I may also add that the services of some fifty surveyors have been obtained—some of them have already gone—to hasten the surveys of the Province.

INLAND FISHERIES.

Hon. Mr. FLINT asked the Government when it is their intention to take steps to protect the Salmon and other fish in the lakes and streams in the rear part of the County of Frontenac, United Counties of Lennox and Addington, County of Hastings and Peterborough, from destruction, caused by parties employed in taking them with spears and nets contrary to the Fishery Act, and if so, whether that action will be immediate?

My reason for making this enquiry, he said, is that our rivers and lakes are well stocked with salmon and salmon trout which are, every spring and fall, taken by spears and nets in large quantities by foreigners who come from the other side of the line. I have been credibly informed that one hundred tons were taken during last fall to the United States from one place. Representations have been made on the subject to the Fishery Department, but the Fishery Agent has not yet received instructions to deal with the matter, and consequently I am constrained to make this enquiry at the present time, when there is urgent need that some steps should be taken to prevent these encroachments by foreigners.

Hon. Mr. MITCHELL—I may state in answer to the hon. gentleman that the Government are very anxious to protect the inland fisheries, and have done their best to accomplish the object they have in view. No doubt these encroachments are very extensive, but it is very difficult for the Department, with the small sum of money and staff at their disposal, to protect effectually all the waters of so extensive an area as that watered by the St. Lawrence and great lakes. One of the great difficulties that the Department have to contend

against is the want of co-operation on the part of the settlers and farmers who live in the vicinity of the lakes and streams; and until they do their duty it is almost impossible for the small staff of public officers to give anything like effective protection to all the waters of the Dominion.

Hon. Mr. FLINT—The gentleman to whom I referred is Mr. Wilkins, of Belleville, who was sent to examine into this matter, and he is still awaiting instructions ever since he made his report. So far as I am concerned I am desirous of doing all in my power to assist the Government in protecting our inland fisheries.

Hon. Mr. MITCHELL explained that he understood that the difficulty in the case of the gentleman alluded to was that the Government found it necessary to limit the staff to a certain sum of money for travelling expenses. That gentleman had more than once exceeded the limit, and he was not now in a position to move in the matter unless he travelled without pay.

Hon. Mr. SKEAD—This subject is very important, and I am glad attention has been called to it by the hon. gentleman opposite. Whilst I am willing to accord due credit for what has been done by the Department, I must say that they are derelict if they do not ask for a large sum to protect the fisheries in question. I have known large quantities of fish taken by spear and nets in the fall, and through the winter, in the direction of the Ottawa River—not by the foreigners spoken of, but by people from the Canadian side of Lake Ontario. I believe the Government ought to have a Fishery Inspector in every county.

POSTAL FACILITIES.

Hon. Mr. SANBORN asked the Government whether any arrangement has been proposed, or is intended to be proposed by the Government of the Dominion to the Government of the United States whereby articles of a bulky nature, such as are carried by parcel post or book post, may be transmitted from one country to the other at a uniform and cheap rate by mail? His attention, he said, had been called to the question by the fact of many persons being anxious to get seeds from dealers in the United States. At present, the expense was great, as much as the value of the package itself. He also asked leave to add to his question an enquiry whether the money order system could not be carried out between Canada and the United States.

Hon. Mr. CAMPBELL replied that no arrangement was likely to be made in the face of the Customs difficulties, which appear insurmountable. As respects the Money Order system, the Government were anxious to see it established, but they found it was not likely to be attained whilst the United States adhered to their present currency.

MESSAGE.

A Message was received from the Commons with the Bill respecting Larceny of Stamps, and malicious injuries to property.

The House adjourned.

MONDAY, 29th April, 1872.

The SPEAKER took the chair at eight o'clock.

PETITIONS.

Hon. Mr. HAZEN, from the Committee on Standing Orders and Private Bills, reported favorably on the following petitions:

Of the Honorable L. H. Holton, and others; praying to be incorporated for the purpose of constructing a Railway through the southern frontier of the Province of Quebec, between the River St. Lawrence and the River Richelieu.

Of Geo. H. Wilkes, and others; praying to be incorporated as a Company for the purpose of constructing Water Works on the improved plan of the patent obtained by Charles H. Waterous, of the Town of Brantford.

Of the Managers of the Ministers' Widows and Orphans Fund, of the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, praying for certain amendments to their Act of Incorporation.

Of C. Grindon, and others, of St. John, in reference to certain debentures.

NOTICES OF MOTION.

Hon. Mr. KAULBACK gave notice of motion with respect to the lighthouse off St. Margaret's Bay.

Hon. Mr. MACFARLANE gave notice with respect to the report of geological survey.

BILLS.

On motion of Hon. Mr. CAMPBELL, the Bill from the House of Commons with reference to larceny of stamps was read a second time.

Also a bill to correct a clerical error in the law respecting malicious injuries to property.

PRINTING REPORT.

On motion of Hon. Mr. SANBORN, the report of the Joint Committee on Printing was deferred until Thursday, Mr. Dawson having written to the Committee since the Report was first submitted.

MESSAGE.

A message was received from His Excellency the Governor General with certain papers in reference to the Washington Treaty.

The House then adjourned.

TUESDAY, 30th April, 1872.

The SPEAKER took the chair at three o'clock.

DIVORCE.

Richard Martin, Barrister-at-Law, appeared at the Bar, and gave testimony to the effect of having served certain papers on the respondent at Suspension Bridge, N.Y. The petition of J. Robert Martin for an act of divorce from his wife was then read and referred to Committee on Standing Orders and Private Bills.

NARROW vs. BROAD GAUGE.

Hon. Mr. BOTSFORD, in accordance with his notice of enquiry, then brought forward a large number of authorities to show the advantages that the country would derive from having the Intercolonial Railway constructed on the narrow instead of the broad gauge. In the first place he stated that he deeply regretted that the Government of the day had not graciously yielded to the voice of the majority when this question was brought up in the Commons two years ago. He presumed he was not incorrect in stating that a majority were in favor of changing the gauge for the line which had been adopted by the Government. The Government dealt with it as a Government measure and yet there was only a majority of two against a reduction of the gauge, that too after a division in which some six or eight members of the Administration voted. It was an undoubted fact that a flood of light had been cast upon this subject of late years, and that the superior advantages of a narrow gauge had been proved beyond dispute. In this connection he referred to authorities which were entitled to the highest respect—to the Commission appointed to enquire into the merits of the famous Festina Railway. Gentlemen came from Russia, Sweden, Norway, Switzerland, North Germany, and together

with celebrated Engineers interested in English Railways met in Wales, and reported on the capabilities of the line; and the results of their examination were unanimously in favour of the work. The issue of this examination was, that the Government of India adopted a gauge of three feet five inches. The Russian Government constructed their railways thenceforth on a gauge of three feet Norway and Sweden adopted the gauge of three feet six inches. There were railways running in France only twenty-nine inches in gauge—one in Prussia of thirty-one inches. Two of these lines in France were in private hands, and another under the control of the Government; and all had been eminently successful in point of economy of construction and management, while at the same time they fulfilled all the requirements of the trade of the section through which they passed. These gentlemen came to the conclusion that a gauge from 3 feet to 3 feet 3 was the widest necessary to perform all the work on a railway. The authority of Capt Tyler was quoted to show the great rate of speed at which a line might be worked. The railway in question carried double the quantity of traffic passing over the Grand Trunk, at a rate of 35 or 40 per cent. less for working the road and maintenance of way. He also read from authorities to show the smallness of cost in constructing the narrow gauge. It had been proved that the gauge of 2 feet 6 was enough for the heaviest traffic, and was the cheapest in point of working. On the ordinary broad gauge, the weight on the engine wheels and rolling stock was something between three and five tons, and the proportion of dead weight which the cars are obliged to carry is some 70 per cent. of the weight carried; but on the narrow gauge all this was reversed. Experience had proved that the extraordinary weight of engines and cars on broad gauge lines would in course of time crush any iron or steel rails. Great stress had been laid on the necessity of having railways of one gauge, but now-a-days mechanical appliances were arrived at such perfection that the cost of transfer from one car to another was comparatively little, and would be very insignificant when placed against the cost of a broad as compared with a narrow gauge. It had been found, too, by experience that the curves on a line could be made much shorter; on the examination in question, a train eight hundred feet long, laden with minerals and passengers, was frequently running on three different curves at the same time. It was

folly to construct a road on the broad principle, in a new country, when the same amount of work might be done at a great saving of expenditure. In order, however, to arrive at a correct conclusion with respect to the Intercolonial Railway it was necessary to take into consideration the geographical position of the country, and compare that line with others in progress. Taking Montreal as the natural point of departure for the trade of the Great West, the distance to Halifax was some 858 miles in length. The Intercolonial touched the 49th degree of North Latitude, and passed through a country of which he had personal knowledge, and he could safely assert that a large tract of it was not calculated to attract settlers in large numbers, though parts of it might be pretty well timbered. Now there was a rival line in contemplation,—the line which was to run from Montreal via River du Loup through the Valley of St. John to the port of St. John—an admirable harbour accessible at all seasons. This road would run entirely through British territory and was 624 miles in length to St. John against the 858 of the Intercolonial to Halifax; and it would be actually to the advantage of the Halifaxians to go by the former in preference to the latter. He had acquaintance with the country through which it passes, and could say that it was well suited for settlement. Again, there was the line from Sherbrooke via the Megantic to St. John, making only 435 miles between Montreal and St. John. It would therefore be seen that the Intercolonial was to be brought into competition with rival lines, much shorter and running through a country better adapted for settlement. In the case of the Intercolonial, it must also be recollected, that it was exposed to all the difficulties arising from heavy falls of snow very difficult to remove, even by the ploughs generally used for such purposes. Yet in face of the fact that the Intercolonial was to compete with rival lines under all these circumstances, the Government had determined to construct it on the most expensive system of gauge. Had they yielded to the feeling of the Commons two years ago they would have saved the country a large amount of public money. The cost of the narrow gauge was calculated at about three-fifths less than the broad gauge; and here the hon. gentleman quoted from the remarks of Mr. Potter, President of the Grand Trunk Railway, who declared at a meeting of the Company that it was of great importance to Canada that the Intercolonial and Pacific roads should be of the narrow gauge of the

American railways, and that it would pay the Canadian Government five times over were they to give the funds necessary to substitute the narrow gauge on the Grand Trunk line, Captain Tyler, at the same time, gave a very emphatic condemnation of the policy of the Canadian Government when he stated that the "idea of employing the five feet gauge for the whole length of the line, and through such a country was little short of madness." In conclusion the hon. gentleman stated that he had been always in favor of the narrow gauge and was very anxious to see it adopted in this country. He was at no time opposed to the construction of the Intercolonial road; he had always thought that the northern Counties of New Brunswick were entitled to consideration, but he believed that the Government had adopted an entirely wrong principle with reference to its construction. The people of the North Shore of New Brunswick would themselves in the course of time awake to the consciousness that it would have been for their interest had the narrow gauge been adopted. He did not wish to throw any impediment in the way of the speedy completion of the line, but he certainly did desire to save a large amount of public money, which was being thrown away. He concluded by asking whether the Government still adhered to its decision of completing the Intercolonial Railway on the broad gauge, and if not, what width of gauge did it propose to adopt?

Hon. Mr. CAMPBELL replied that he had not interrupted his hon. friend, but he had assuredly been out of order in offering such extended remarks, previous to making a mere enquiry of the Government. In making that reference he (Mr. C.) had no other wish except to call attention to the advisability of adhering strictly to those rules which are intended to facilitate the despatch of public business. The question of the hon. gentleman, however, could be very easily answered; the Government were compelled by law to construct—here he quoted from the Statute—the line on the gauge of five feet six inches. He did not propose to follow the hon. gentleman into a discussion of all the points he had raised, but he gathered from that hon. gentleman's remarks that they were founded to some extent on a misapprehension. For instance, Captain Tyler was not arguing in favour of the Festing gauge, or for three feet six inches, but for four feet eight and a half inches. The idea of that gentleman was to construct the Intercolonial on that gauge, and apply a large sum of money to alter the

gauge of the Grand Trunk Line; but hon. members knew full well how such a proposition would be met in this country. Now if his friend confined his remarks to the 4 feet 8½ gauge, then he could inform him that every care had been taken by the Government to ascertain as accurately as possible the best gauge for the Inter-colonial road. At one end they saw the Grand Trunk and its feeders, some 1,200 or 1,300 miles, and at the other some 300 miles in the Maritime Provinces, and with these facts before them they were forced to decide on continuing one gauge throughout. He had supposed that the 4 feet 8½ gauge could have been constructed and worked more cheaply. The opinions of the best engineers in the country, among others, the engineer who had taken part in the reduction of the gauge of the Great Western line, had been taken, and they were to the effect that there was no important difference between constructing a 4 feet 8½ and a 5 feet 6 inch gauge. It was for these reasons that the Government had concluded that it was most expedient for the public interests to adhere to the gauge now in general use on the most important lines of communication. So far, certainly, it had never been urged in either branch of the Legislature—never suggested even by professional men of standing that we should build the Inter-colonial line on a gauge less than 4 feet 8½. No one could urge that it would be advisable, with the limited experience we have so far of the extremely narrow gauge roads, we should change our system. It was quite possible that the short line of the Festing, only some 14 or 15 miles in length, would be equal to the public requirements in that particular district. An immense number of persons, and a large traffic might go through a small lane, but it was very different when we came to consider the great lines of communication. Perhaps in the course of time the narrow gauge system would be adopted, but at present engineers were not quite satisfied on the subject, and it was certainly not advisable for the Canadian Government to try any experiments.

Hon. Mr. BOTSFOED contended that he had only followed the practice of the House of Lords in making the remarks he did.

THIRD READING.

On motion of Hon. Mr. CAMPBELL, the Bill in reference to Malicious Injuries to Property was read a third time and sent to Commons.

House went into Committee, Hon. Mr. Bourinot in Chair, and passed the Bill in reference to Larceny of Stamps with amendments.

The House then adjourned.

WEDNESDAY, 1st May, 1872.

The SPEAKER took the Chair at 3 p.m.

PETITIONS.

Hon. Mr. HAZEN, from Committee on Standing Orders and Private Bills, reported favourably on following petitions:

Of the Western Assurance Company; praying for certain amendments to their Act of Incorporation.

Of the Northern Railway Company of Canada; praying for an Act to consolidate into one lease, the present leases of the Toronto, Simcoe and Muskoka Junction Railway Company, and the North Grey Railway Company.

Of A. G. P. Dodge, of Township of West Gwillembury, in the County of York, Province of Ontario, and late of the City of New York, praying for an Act of naturalization.

Of Messrs. Gooderham and Worts, and others of the City of Toronto; praying to be incorporated as "The Mail Printing and Publishing Company."

Of the Hon. David Lewis Macpherson and others, of the City of Toronto, and elsewhere in the Dominion of Canada; praying to be incorporated as "The Inter-oceanic Railway Company of Canada."

Of Wm. L. Forsyth, and others, praying to be incorporated as "The Auticosti Company."

Of "The Canada Southern Railway Company," praying for power to construct a Railway Bridge over the Detroit River, at or near the Town of Amherstburg; and also, to construct a Railway Bridge over or a Tunnel under the St. Clair River; that two companies may be incorporated for these purposes, to be called respectively, the "Detroit River Railway Bridge Company," and the "St. Clair River Railway Bridge and Tunnel Company;" and that the Directors of the Canada Southern Railway Company be the Provisional Directors of the said Companies.

Of George Laidlaw, and others, of the City of Toronto; praying to be incorporated as the Lake Superior and Fort Garry Railway Company.

Of J. McGaw, and others of the Cities of Montreal, Toronto and Kingston, praying to be incorporated as "The Inland Marine and Fire Insurance Company of Canada."

Of R. Jas. Reekie and others, of the

Dominion of Canada, praying for the passing of an Act to authorise them to construct a Railway westward, from Lake Nipissing through Fort Garry to British Columbia, with a terminus on the Pacific Ocean, and for other purposes.

DIVORCE.

Committee on Standing Orders and Private Bills having reported that rules had been complied with in case of petition of J. Robert Martin.

Hon. Mr. CAMPBELL introduced a Bill for the relief of same.

Second reading 16th May, when petitioner appears at Bar of House.

PRINTING.

Hon. Mr. SANBORN presented two reports from the Joint Committee on Printing. Consideration on Monday next.

REVENUES.

Hon. Mr. BUREAU referred to the necessity of having, in accordance with the notice which he had given for an address, a detailed statement of the revenue arising from duties of Customs and other revenues of every kind proceeding from each of the Provinces of the Dominion of Canada, from the Union, or from the admission of the Province into the Union, until the 30th June, 1871, and of the expenses of collection of such revenues, distinguishing the articles imported and exported and the duties paid thereon, in each of the said Provinces, from the said dates to the 30th June, 1871, and the corresponding expenses of collection of such duties to the said date. He then withdrew his motion.

GEOLOGICAL SURVEY.

Hon. Mr. MACFARLANE asked whether the Report of the Geological Survey will be submitted to Parliament and when?

Hon. Mr. CAMPBELL—In a few days.

FISHERIES.

Hon. Mr. HAZEN asked: What was the expenditure incurred by the Dominion Government in protecting the Fisheries during the last season, and whether they can form any approximate estimate of the expenditure of the Home Government for the like service?

Hon. Mr. MITCHELL replied: The estimated cost of the Marine Police for the protection of the Fishery was during the past year about \$84,000. With regard to the second branch of the question as to whether Government can form any ap-

proximate estimate of the expenditure of the Home Government for the like service, he stated that he could not give any reliable data on which to estimate the cost of such service but he is satisfied that it must amount to several hundreds of thousands of dollars.

ANNUITIES.

Hon. Mr. WARK moved that an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause such measures to be taken as will enable the Minister of Finance to convert into Life Annuities such portions of the Public Debt as may, from time to time be found necessary to meet the requirements of persons seeking such means of investment. In making the motion he stated that he had known very many persons, men and women well advanced in years, widows and orphans, and others, suffer heavy losses on account of the mismanagement and dishonesty of persons to whom they had entrusted their moneys, and he thought it very advisable to establish the system in question, which would afford a fund where parties could find a safe investment. It was now sixty years since the system had been established in England, and it was now working admirably, although some losses were sustained, at the outset by the Government, on account of the trickery of stock jobbers; but such result need not be feared in this country, as the operation of the law could be well guarded.

Hon. Mr. CAMPBELL replied that the Minister of Finance had now the power to make the provision in question, and intended offering some amendments in the same direction during the present session. Under these circumstances, the hon. gentleman would probably consent to withdraw his motion.

Hon. Mr. WARK consented.

IMMIGRATION.

Hon. Mr. CAMPBELL introduced a Bill to provide for the incorporation of Immigration Aid Societies.

PUBLIC LANDS.

The Bill in reference to the above subject was deferred until Monday next, French copy not being ready.

LARCENY OF STAMPS.

On motion of the Hon. Mr. CAMPBELL, the Bill in reference to Stamps was read a third time, and sent back to the House of Commons.

The House then adjourned.

THURSDAY, 2nd May, 1872.

The SPEAKER took the Chair at 3 o'clock, p.m.

PRINTING.

Hon. Mr. SANBORN asked that the order of the day, consideration of the second report of Printing Committee be discharged, as it only referred to a matter of arrangement between the Committee and their Clerk.

EXPLANATION.

Hon. Mr. LETELLIER DE ST. JUST asked an explanation from the Minister of Marine and Fisheries, respecting the superannuation of Mr. Harley, Light-house Inspector, New Brunswick.

Hon. Mr. MITCHELL replied that he was glad that the opportunity had been afforded him of giving an explanation respecting a matter which has been brought up elsewhere, with the object of reflecting on his conduct as a public man. Briefly stated the charge was that he had placed an officer, of seventy years of age, in a public position during 1867, and had superannuated him last year in order to appoint his brother to the same office. Now, he would inform the House that prior to Confederation the practice of conducting the Light-house service differed in the several Provinces. In Nova Scotia there was an Inspector; in Canada, it was conducted under direction of Trinity House; in New Brunswick, by Boards of Commissioners, one for the North Shore, and the other for the Southern or Bay of Fundy side. Those two Boards were composed generally of men who looked after the lights, and charged 10 per cent. commission on supplies furnished. In 1851 Mr. John Harley was on the Commission—here the hon. gentleman read from the *New Brunswick Gazette* Up to 1867 he held that position. At the time of his appointment he was a gentleman of large experience as a shipbuilder, and was held in great esteem wherever he was known. Subsequently, however, by the force of circumstances he was reduced to poverty, and remained so at the time of Confederation, when the light house service was placed under charge of the Department of Marine and Fisheries. He (Mr. M.) after due deliberation came to the conclusion that the system in operation in Nova Scotia was the best to adopt—of having a paid inspector to inspect the light houses, make the necessary report of the supplies, and assume a responsibility to the Government. He selected Mr. Harley out of the three Commissioners as

the best man to fill the position, on the ground that he had always been the chief executive officer, and was in every way highly qualified for the office. During his life time Mr. Harley had opposed the party with which he (Mr. Mitchell) had always been associated, and supported that with which Mr. Hutchison was connected. He was a man of energy and exercised much influence in the district where he lived. But he (Mr. M.) felt that he would be wanting in his duty to the public were he to take into consideration anything except the ability of that gentleman to discharge the trust confided to him. When the appointment was offered to him, Mr. Harley confessed that his living would depend on it for he was no longer in affluent circumstances. Mr. Harley received the appointment and continued to discharge it up to 1870, when his health began to fail, for he was afflicted with two serious complaints, either of which made it actually misery for him to travel to remote places, at all times and in all manner of ways. Mr. Harley wished to resign, although his means of livelihood were at stake; but, Mr. Mitchell persuaded him to remain for some time longer, with the hope that his health would improve. He held it for six months, but instead of becoming better, he got worse, even with all the care he exercised. Again he reluctantly tendered his resignation—here Mr. Mitchell read the letter of resignation. Mr. Harley held the office, at his personal solicitation, for some eight or nine months longer, but when the spring came he found he was incapacitated from discharging his duties—he was then 75 years of age—and the result was that the Department unwillingly consented to lose the services of an able public officer. He then looked into the question, and came to the conclusion that Mr. Harley had been over 19 years in the public employment, and was entitled to superannuation on a 20 years' service. He represented the fact to the Council in a report which he read to the House. He read the Act as applying not only to the inside, but the outside services, and believed Mr. Harley was entitled to twenty-fiftieths of his salary which was at that time \$1,200. The matter was referred, in accordance with the usual practice, to the Treasury Board, where for the first time, the question was raised whether persons who had been in the public service for 30 or 40 years, receiving only commission or fees, and subsequently received a regular salary, were entitled to superannuation on the whole period, or merely for that term when

they were salaried. Mr. Mitchell read from the Superannuation Act in support of his view of the case, contending in particular, that under the 9th section Mr. Harley was clearly entitled to come in; also from the regulations made subsequently in elucidation of that law. The 9th section specially referred to persons employed "in the outside service of the said departments," and "to service in an established capacity in any of the public departments of the Government or offices of the Legislatures of any of the Provinces." In the regulations established for guidance in all cases under the law, the agents of the Department of Marine and Fisheries, as well as inspectors of lighthouses, were specially mentioned. The Treasury Board, he regretted to say, did not come to altogether the same conclusion he had—they doubted whether such an officer should be ranked as having had twenty years' service; of the four years since 1867 of course there was no doubt whatever. They agreed, finally, to give him ten years' service, and he was accordingly placed on the superannuation list at the small pittance of some \$216 a year. Yet he (Mr. Mitchell) had been accused before the country of having placed a man on the Superannuation Fund when he had no claim to such consideration. If a man in the position of Mr. Hanley had no right to receive a retiring allowance, then there was no use whatever in the Superannuation Act. As respects his successor, it was true he was a relative of his own, but he was known to be a man of respectability and influence, and was able to teach that gentleman who had so unwarrantedly made the accusation in question. He would not descend to the scurrility which had accompanied the charge, but he would say that the house with which that gentleman was connected had had the supplying of the light houses for 20 years and received just such prices as they wished; and it was therefore not difficult to understand why he felt aggrieved that the means of continuing the same state of things were no longer available for him. Before sitting down, he (Mr. M.) asked permission to refer to another matter which was also to be brought up elsewhere, and in connection with which the hon. member for Grandville (Mr. Letellier) had placed a notice on the table that day. If those charges were true, then he was unfit to occupy his present position.

Hon. Mr. LETELLIER DE ST. JUST deprecated any explanations at that time, as not in the interest of the hon. gentle-

man, it was advisable to defer them until the motion came up in due form.

Hon. Mr. MITCHELL would not go into the question, after the hon. gentleman had so kindly expressed a wish to defer the discussion. He would simply say that there was not a shadow of truth in the charges made against him. He could satisfy the House and country that those charges are baseless and malicious; and if the hon. member elsewhere dared to assert them again he would be ready to meet them.

TRANSLATIONS.

Hon. Mr. BUREAU offered a few explanations in reference to the mode in which the translators of the House performed their duty, on account of an allusion having been made on the previous day to some delay in the translation of the bill concerning public lands. The fault did not lie with them, the alterations made from time to time in the bill had delayed the translation. The translators performed their duties most satisfactorily in the opinion of the French members. The work had never been more efficiently performed than it was at present.

The House then adjourned.

FRIDAY, May 3rd, 1872.

The SPEAKER took the chair at three o'clock.

PETITIONS.

Hon. Mr. SANBORN, from the Committee on Standing Orders and Private Bills, reported favorably on the following petitions:

Of Hon. John Young, Managing Director in Canada, of the Canadian and European Telegraph Company.

Of the Mutual Life Association of Canada.

Of Rev. William Morley Punshon, M. A., President of the Conference of the Wesleyan Methodist Church.

Of Sir Hugh Allan, and others, of the city of Montreal.

Of the St. Francis and Megantic International Railway Company.

Of the Grand Trunk Railway Company of Canada; and of the Corporation of the town of Galt.

Of D. McInnes and others.

And of the Corporation of the village of Waterloo.

The Committee reported that the following petitions properly came under consideration of local legislatures:

Of the Board of Trade of the town of St. Catharines.

Of C. H. Fairweather, President, and others, members of the St. John, New Brunswick, Board of Trade.

Of Robert H. Kittson, and others, of Sorel, in the Province of Quebec.

Hon. Mr. BENSON said the petition from St. Catharines had been favorably reported upon in the Committee of the other House, and did not understand why there should be a distinction.

Hon. Mr. SANBORN replied that the Committee only adhered to the decision they came to last year in reference to such subjects.

Hon. Mr. ROBERTSON said there was a difference of opinion as to the construction of the British North America Act.

Hon. Mr. CAMPBELL said that under existing circumstances it seemed as if all that could be done was to let each House pursue the course it thought proper. He was of opinion that the Boards of Trade were of a provincial or local character.

PUBLIC BUSINESS.

Hon. Mr. WARK suggested to the Government whether some system might not be devised by which more business might be originate in the House.

Hon. Mr. CAMPBELL replied that Committees had been appointed in the House of Lords, where the same difficulty was felt, but no action had been taken to remove it. The most important measures, of necessity, originated in the other branch. During this session, however, one very important measure, the Bill respecting Public Lands was before the House, and would be taken up next week. Bills respecting Immigration Societies, and on other subjects, would come up for consideration. So far as the members of the Government and the House were concerned, they had every disposition to initiate as many measures as practicable in that branch.

The House then adjourned.

MONDAY, 6th May, 1872.

The SPEAKER took the chair at 3 o'clock, p.m.

BILLS.

Hon. Mr. SANBORN introduced a bill to amend the Act respecting St. Francis and Megantic Railway.

Hon. Mr. CAMPBELL introduced an Act respecting quarantine.

ENQUIRY.

Hon. Mr. MACFARLANE asked the Government whether any regulations have been made by the Government for main-

taining the drill sheds in Nova Scotia, to what uses are they to be applied and at whose charge are they at present. He explained that these drill sheds which had been raised previous to Union at considerable expense by Local Governments, and by private subscriptions, were now lying useless or converted into workshops, and otherwise used for private purposes.

Hon. Mr. CAMPBELL had not fully understood the purport of his hon. friend's enquiry, and would look further into the question.

PRINTING.

On motion of Hon. Mr. SANBORN, the report of Joint Committee on Printing was adopted; it alludes to expenditures of the past year, to the economical management of the service, and satisfactory manner in which Mr. Hartney performs his duties.

PUBLIC LANDS.

Hon. Mr. AIKINS moved the second reading of the Bill respecting publiclands, and in doing so stated that the preamble showed that it referred exclusively to Manitoba and the North West Territories. The measure dealt with the whole land question in its entirety, and inclusive of timber and minerals. The system of survey had been discussed elsewhere during the previous session, and the policy there favored had been embodied in an Order of Council, and the surveyors subsequently sent out to the territory. The system differed very little from that adopted in the United States, but there were one or two exceptions. For instance, the bill made provision for roads, as also for the convergence or divergence of meridians. The lines bounding townships on the east and west sides, shall in all cases be true meridians and those on the north and south sides shall be chords intersecting circles of latitude passing through the angles of the townships. The townships shall be numbered in regular order north-erly from the international boundary or 49th parallel of latitude, and shall lie ranges numbered, Manitoba east and west from a certain meridian line run in 1868, after the 'Principal Meridian,' drawn north-erly from the 49th parallel at a point two miles or thereabouts westerly from Pem-bina. In the United States they had certain governing lines, but their town-ships were laid out east and west, and they had no such provisions as in our bill. Under the system of survey, the country is laid out in blocks of four townships each by projecting the base and connect-ing lines—the map showed this—and east and west meridian boundaries of each

block. On these lines all township, section, and quarter section corners are marked, to govern in the subsequent subdivision of the block. After detailing the system of survey, the bill refers to the disposal of the Dominion lands, in which it is provided that the Hudson Bay Company is entitled to certain portions of the territory known as the "Fertile Belt." The Company, however, may select land, in lieu of allotted land, provided it not on the Indian reservation and settled under lawful authority. Next come the modes of settling the lands—first by cash, one dollar per acre; next, pre-emption right, or the right to purchase by actual settlement. Any person being the head of a family, or a single man above the age of twenty-one years, who has made a settlement on unappropriated Dominion Lands, and who has inhabited or improved thereon, and has erected a dwelling thereon, may have himself entered with the Local Agent of the division in which such land is situated for any number of acres not exceeding the quarter section of land including the residence of the claimant, and being a subject of Her Majesty by birth or naturalization, shall receive a patent therefor, upon paying the price of such lands. Every claimant of pre-emption rights must within *twelve months* after filing his claim furnish the Local Agent proof of continuous residence on the land he claims, and pay the price thereof, and in default of so doing the land so settled and improved will be subject to the entry of any other purchaser. Again, there is the homestead system: any person coming into the territory and settling on a quarter section of surveyed and unoccupied lands, becomes entitled to a patent at the end of three years. It is intended, said the hon. gentleman, to verge the pre-emption clause into those referring to the homestead system, in accordance with the principle of a Bill which has just passed its second reading in Congress. It is also provided that certain reservations be made in every township for educational purposes. In the subdivisions of townships which may consist partly of prairie and partly of timber land, such of the sections or subdivisions of sections containing islands, belts, or other tracts of timber, shall be subdivided into such number of wood lots of not less than ten, and not more than twenty acres in each lot, as will afford, so far as the extent of wood land in the township may permit, one such wood lot to each quarter section prairie farm in such township. Any tract of land covered by forest timber may be set apart as

Timber Lands, and reserved from sale and settlement. The right of cutting timber on such limits shall be put up at a bonus per square mile, varying according to the situation and value of the limit, and sold to the highest bidder by public competition. The purchaser shall receive a lease granting the right of cutting timber on the land for *twenty one years*, and containing certain conditions. Provision is also made with respect to mining lands. No reservation of gold, silver, iron, copper, or other mines or minerals shall be inserted in any patent from the Crown granting any portion of the Dominion lands. Any person may explore for mines or minerals on any of the Dominion lands, surveyed or unsurveyed, and not then marked or staked out and claimed or occupied, and may, subject to the provisions of the law, purchase the same. In case of certain lands proving to be rich in minerals, the Secretary of State shall have the power to withdraw such lands from sale, and in lieu thereof institute a system of lease to discoverers or first applicants. The rent payable to the Crown under any such lease shall be a royalty, not to exceed two and a half per cent. on the net profit of working. When there are two or more claimants for the same tract, then if the claim of the first discoverer be not fully established to the satisfaction of the Secretary of State, the same shall be put up at public auction on stated terms of lease, and sold to the highest bidder. As respects coal lands, they are withdrawn from the operations of the Act as regards the rights of squatters to homesteads on the Dominion lands in advance of the surveys, and are reserved in the interest of the general public. The law provides for the steps necessary to be taken by persons desirous of carrying on coal mines in the territory. The Bill also provides regulations with respect to surveyors of Dominion lands, and among other things it is provided that a Board of Examiners be established for the examination of candidates for commissions as surveyors.

Hon. Mr. LETELLIER DE ST. JUST called attention to the fact that the French copy of the Bill had only been placed in the hands of members, and that it was advisable to defer the going into Committee for some time, in order to afford ample opportunity for a thorough criticism of so important a measure.

Hon. Mr. SIMPSON also wished time to consider it, as he had only just then received his copy.

Hon. Mr. BUREAU did not intend to oppose the second reading of the Bill, but as that was the proper time to discuss it

principle, he would ask the indulgence of the House for a very few minutes whilst he stated some of the objections he had to the measure in its present shape. He considered that the bill was, in many respects, of a very extraordinary character, inasmuch as it made regulations of a most arbitrary character with respect to the public lands of the west. The regulations provided in the bill could actually be set aside by the Governor in Council—a very large power to be given to any Government. The most important feature of the bill, in his opinion, was the extraordinary power it placed in the hands of the local agent, who could decide every question whether a settler had complied with the regulations necessary to entitle him to enter into the possession of lands. That agent might act justly or unjustly, and yet he was exempted from punishment in case of unfair or arbitrary conduct. Then the bill laid down the remarkable proviso that all settlers entitled to land must be British subjects; and that too, at the very time we had emigration agents abroad in France, Belgium, and other foreign countries to induce immigration into Canada. He was quite positive that the effect of such regulations would be to prevent people from coming into the Dominion. He appealed to the hon. Secretary of State to remove this unfortunate clause of the measure. And the strange feature of the bill was the absence of any regulation regarding persons who may have settled on lands by a mistake which they may have only found out after they had made considerable improvements. Such persons would not be entitled to be indemnified for the improvements in question, and that he considered a great injustice. He had no particular objection to the mode of division, but he did think the system in vogue in the United States, by which large grants of lands were made for the construction of railways, was well worthy of consideration. About two hundred million of acres of land had been granted to companies for that purpose—no less than 125,000,000 had been granted to the Pacific Railroad Companies alone—and the results have been highly beneficial to the development of the resources of the country. The quantity of land so granted was equal to 300,000 square miles, or comprising more than the States of New York, New Jersey, Pennsylvania, Ohio, Indiana, and Illinois combined. He was in favor of assisting Education by public grants, but every care should be taken to avoid a repetition of such difficulties as arose in this country in the past. No one had forgotten

the questions of Clergy Reserves, or the Seigniorial Tenure. He trusted that every guarantee and security would be given to the parties who might receive these lands for the object contemplated by the Bill, so that the issue might be satisfactory to the peace and happiness of the community. He, as a native of Quebec, felt deeply interested in the future of Manitoba, for he believed very many of his fellow country men would find their way there in the course of time, especially when there was railway communication with the far western province. It was well known that the want of public works and manufactures as well as the character of the commercial policy of the country had tended to denude the parishes of many of the people, but he believed that with the development of enterprise in the province the emigration to the United States would cease, or the people would prefer seeking their fortunes in parts of Canadian Territory like Manitoba. He objected to the Bill, he said in conclusion, because it gave too great power to Government and to individuals. If he understood it aright, it was proposed to appoint another Department—he supposed another member, a Surveyor General, would be added to the Cabinet, and the number consequently made even instead of remaining as at present at the unlucky figure thirteen. He had strong objections to many features of the Bill, but nevertheless he would do his best, when the House went into Committee to perfect its details for all must confess that there was a great necessity for such a measure, and that it was the duty of every one to improve it as far as practicable.

Hon. Mr. LEFELLIER DE ST. JUST called attention to the 45th clause, and urged that sufficient encouragement was not given to individuals to discover coal beds.

Hon. Mr. AIKINS said that as respects immigrants the Bill was more favourable than the American law, for a settler could get his patent in three years, whereas it required five in the United States.

The Bill was read a second time, and it finally decided to go into Committee on Friday next.

The House then adjourned.

TUESDAY, May 7th.

The SPEAKER took the chair at three o'clock.

PETITIONS.

Hon. Mr. HAZEN—From Committee on Standing Orders and Private Bills, reported favorably on following petitions: Of

W. L. Forsyth, W. Lorn Macdougall, D. E. Papineau and others; Trustees of Toronto Savings Bank. Committee reported adversely on petition of Levis Board of Trade.

INTERCOLONIAL RAILROAD.

Hon. Mr. LETELLIER DE ST. JUST—I hope that the feeling which prompts me in making the present motion will be well understood by the House. I do not make it in a personal spirit, for I would be very sorry that any feelings which prevail elsewhere should be exhibited in this House. It has been said that large expenses—injustifiable expenses in fact, have been incurred in connection with the Intercolonial Railway—that property has been purchased at exorbitant prices by the Commissioners of the work. It is our duty to enquire what foundation there is for such statements, and therefore without further preface I beg leave to make the following motion:

For an Address to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House copies of all papers, letters and documents that have passed between the Government of the Dominion, the Commissioners on the Intercolonial Railway, and other persons interested in the following matters, viz.:—

As to the rent paid by the said Commissioners, for the use of the House occupied at Newcastle, by A. L. Light, Esq., and the Intercolonial Office, stating who was the owner.

1st.—Of the said House at the time it was so rented.

2nd.—Of the lands taken for the railway station.

3rd.—Of the old ship yard intended for water terminus.

4th.—Of the old commercial buildings now occupied as the Custom House at Newcastle.

Specifying separately the amount paid yearly for rent, the land damages, the price paid or to be paid for each of the said premises, and to whom, when and how?

Hon. Mr. MITCHELL replied—I am glad that the hon. member has made such a motion, and I fully appreciate the kindly spirit in which he has done it. I am pleased to have an opportunity of refuting immediately certain assertions made elsewhere; but I may first say that the papers asked for will be brought down as soon as possible by the Government. I must observe that I do not intend going at length into the subject at present, inasmuch as the motion which has been made elsewhere has not yet been taken up; and therefore I shall reserve full explanations until that happens. In the meantime I may state that the moment I saw the motion, I enclosed it to the Railway Commissioners, and received the following reply:—

OTTAWA, May 1st, 1872.

SIR,—Yours of yesterday with slip of questions by the Hon. Mr. Hutchison, and your wish that I should give you an official answer is received, and I now beg to comply with your request as follows:—

QUESTIONS.

1st. How much is paid to the Minister of Marine and Fisheries for rent of the house lately occupied by him in Newcastle, and owned by A. L. Light, and the Intercolonial Railway Offices?

2nd. How much was awarded him as land damages?

3rd. How much is he to receive for the railway station location?

4th. How much is he to receive for the ship yard intended for a deep water terminus?

I have the honor to be,

Sir,

Your obdt serv't,

(Signed)

RALPH JONES,

Sec.

ANSWERS.

Four hundred dollars (\$400) per annum for offices and residence of District Engineer!

Nothing. Solicitor reported 5th August, 1871. Will not accept payment at all, not because dissatisfied with award, but declines to take any amount.

Grounds for station not selected nor valued.

There has been no point selected as yet at Newcastle as a deep water terminus.

HON. P. MITCHELL,
&c., &c., &c.,

As respects the fourth question, the old Commercial Building at Newcastle, I can simply say, I am not in a position to answer it definitely. However, I believe the buildings are owned by Mr. Tuck of St. John, but the government have not made any appropriation for the use of the building, nor have they selected the place for the Custom House. I am glad to have this opportunity of giving an unqualified denial to the idea that may have arisen from the assertion made elsewhere, that I have derived some profit from the property referred to in the motion. The rent I receive is altogether insignificant compared with the value of the house, whilst I have always refused to receive anything for land damages. My advocacy of the Intercolonial Railway has been always on public grounds, and I am ready to vindicate, as I have always done, the present location of the line. On another occasion, however, I expect to have ample opportunity of dealing with the whole question at greater length.

Hon. Mr. WILMOT suggested an adjournment till Tuesday or Wednesday, if public business was not in a forward state and gave notice of motion with that object in view.

Hon. Mr. CAMPBELL said the Public Lands Bill was an order of the day for Friday, but the matter of adjournment was entirely in the hands of the House.

Hon. Mr. LETELLIER DE ST. JUST thought abundant time should be given for consideration of so important a question.

Hon. Mr. WILSON urged an adjournment.

Hon. Mr. SANBORN suggested business might be coming up from the other House.

After some further remarks from hon. gentlemen, it was decided to leave the matter undecided until the following day.

The House then adjourned.

WEDNESDAY, 8 May.

The SPEAKER took the Chair at 3 o'clock.

COPYRIGHT.

Hon. Mr. RYAN—The first part of the motion, of which I gave notice on Monday, is to the following effect:

When the Returns asked for in the Senate's Address of the 23rd April, on the subject of Copyright, are likely to be laid before this House?

These Returns were laid before the House yesterday, but the amounts paid to the different authors are not given; while the most important part of the Address is answered in the following terms:

I am directed by the Governor General to inform you that there is no correspondence on record in this office since the 28th February, 1871, on the subject of "Copyrights respecting British Copyright Works in Canada!"

I must confess that I read this announcement with a feeling of great disappointment. We find, after all the encouragement given by the Government to the motions made in this House—after all the addresses on the subject from the Senate, that it has been thought of so little moment as not to require any official correspondence since 28th February, 1871. Some fourteen months altogether, have now elapsed since any official communication on this important subject has been made to the Imperial Government. I confess it appears to me that either the representations of the Senate must be passed by as of very little importance, or the question must be considered of great insignificance. I cannot, however, believe that the representations of this House have been deemed of a trivial nature, and accordingly I am driven to the conclusion that the subject has not been thought worthy of consideration, or has been altogether forgotten; but here again I am met by the remembrance that assurances have been given time and again by the organ of the Government in the House that they take a deep interest in the question. Yet, notwithstanding, there is no evidence that any effort has been made during the past fourteen months, to ad-

vance it. Under all the circumstances I think the Senate must be convinced of the necessity of urging strongly upon the Government the object which I wish to attain in again moving in reference to this matter. The second part of my enquiry is in these words:

Whether it is the intention of the Government to urge without delay on the Imperial Government, the importance, during the present session of the Imperial Parliament, of such legislation as will in effect entitle the Printers and Publishers of Canada to re-print British Copyright works in this Dominion?

Although we have been informed that there has been no official correspondence on the subject in the public departments we have seen in the public press some very interesting letters bearing upon this public question. On a former occasion I alluded to some letters written by Sir Charles Trevelyan, and since then I found them published in the *Toronto Mail*. I am happy to say that the purport of those letters is entirely in accordance with the views we have been urging upon the Government. Sir Charles Trevelyan is an author as well as the holder of the copyrights of Lord Macaulay's works, and he has written these letters to Messrs Longman with the view of urging upon the publishers of England just such views as we have always advocated in this House, and which were pressed, in 1868, upon the Imperial Government. The conclusion of these letters is given in terms which, I think, will commend themselves to the House and, I hope, to the country, and will induce this Government to urge this question again upon the attention of the Imperial authorities. He says:

"Our best course, in my opinion, will be to leave the United States go their own way, but to make an immediate arrangement with Canada on the basis offered by them. At the present relative price of labour and material in Canada and the States, this would lead to a partial transfer of the reprinting business from the United States where English authors get nothing, to Canada where they would get 12½ per cent., with the probable ultimate result that the United States would also agree to allow authors or their assignees, a percentage of the sale of the reprints of their works, on condition that American authors were allowed the same privilege in England. . . . The Act of Parliament passed to sanction the arrangement with Canada should, of course, prohibit the introduction into England of reprints of English copyright works from any quarter.

"Lastly, I would submit that the circumstances call for early and decided action. "We must not be like 'dumb driven cattle,'"

I must say in all candour that the *dumbness* spoken of, may, in my opinion, be fairly attributed to those who have not urged the prosecution of the matter more energetically. It is all very well to say that private correspondence is going on, but we cannot know what is doing unless we have official correspondence. I hope that the inducements which have been held out to me amongst other senators to persevere in this matter are not fallacious, and that the Government themselves will move more energetically and make their communications more emphatic in the future. In 1871 when I brought this subject before the House, I stated:—"Two objects were sought to be obtained; first, to be put on the same footing as printers of the United States in regard to reprinting British copyright works; secondly, to induce the Imperial Government to make Colonial Copyrights extend over the whole British Empire. The latter point the Imperial had already agreed to concede, and it was now for the Dominion Government to urge upon the former the requisite legislation." In reply to my remarks, the hon. Postmaster General said: "It was true we had been promised legislation on the subject. Latterly, the Minister of Finance had been following the question up, but he (Mr. C.) did not know how far the matter had gone. The course adopted by his hon. friend was deserving of every praise, and he had but little doubt that it would be eventually crowned by success." I hope now the Government will evince their confidence in my success, by doing everything in their power to promote the object. Again, the other day, when this subject was before this House, the hon. Postmaster General said: "The Government are entirely in accord with the hon. gentleman on the question, I hope that now, since there is no prospect of an International Copyright Treaty, they will be able to come to some satisfactory arrangement with the British authorities." I have the same hopes, and consequently I have come to the conclusion, and I am sure the House will come to the same, that we should lose no time, but impress upon the Imperial Government the necessity of legislation during the present session of the Imperial Parliament. If we allow another year to pass by we will be in the same position in 1873 that we were in 1868, and therefore I ask leave to make the second enquiry on the paper.

Hon. Mr. CAMPBELL.—In reference to

the first part of my hon. friend's remarks, that the return does not show the distribution of copyright moneys to British authors, I may say that it is impossible for the Government to make such a statement. The money collected in Canada is transmitted to the British Government who make the distribution, and consequently we have no information on that point. With reference to his other remarks, I may reply that I think I stated the other day that there was no official correspondence, but I believe there had been some unofficial communications on the subject. The Government are not open to the charge of not acting energetically on this matter—it is the experience of us all that very often more is done by unofficial than by official correspondence. The hon. gentleman has referred to the correspondence between Sir Charles Trevelyan and the Longmans. That gentleman is the owner of a copyright and takes precisely the view of my hon. friend, but Mr. Longman represents much larger interests in copyrights and holds different opinions, and so far as I can learn represents the views of the British publishing trade. So it will be seen it is difficult for the British Government to deal with the matter in view of such conflicting opinions. The correspondence that has been going on has been conducted by Sir Francis Hincks with the view of affecting the minds of the great publishing houses of England, and in one of his letters Sir Charles Trevelyan refers the Longmans to Sir John Rose as an authority in the matter. In this way the Government have been doing all that they could to accomplish the object which my hon. friend has in view, and which he has tried to accomplish in so energetic a manner. In answer to the question whether we intend to urge on the Imperial Government the importance of this measure, I beg to say it is our intention to do so in an official letter during the present session of the Imperial Parliament.

Hon. Mr. RYAN.—I am satisfied with the assurance given of immediate action being taken as I think I have received a distinct recognition of the principle that official representations are more likely to have an effect than any private correspondence. With reference to Sir Charles Trevelyan's allusion to Sir John Rose, I may give his exact words: "You would do well to confer with Sir John Rose who—here you will notice the word Sir Charles uses—*was* the great promoter of the Canadian compromise." This remark refers, I take for granted, to a former period. We know that Sir John Rose conducted the corres-

pendence on the part of Canada in 1869, and did so with great minuteness, but I am apprehensive that he has not been urging the matter so energetically since he ceased to have any official connection with it. I have now come to the third part of my enquiry—Whether, in expectation of, and preparatory to such Imperial Legislation, it is the intention of Government to introduce during the present Session any measure whereby authority may be conditionally obtained to levy a suitable excise duty on all reprints of British Copyright books in Canada, which duty shall be made applicable to the use and benefit of the authors and owners of such works? This excise duty is recommended in the joint report made by Sir Francis Hincks and Mr. Dunkin, and transmitted to England by His Excellency the Governor General. The importance of acting at once during the present session and introducing a bill to levy a suitable excise duty in case the British Parliament consents to allow British copyrights to be reprinted in this country, must be obvious to every one in this House. If this is not done by the Dominion Parliament before this session ends, and unless power be taken to levy an excise duty and so be ready to correspond with the Imperial legislation which we hope for, another fourteen months may pass before we meet again and our printers and publishers be still left to complain of serious and oppressive grievances.

Hon. Mr. CAMPBELL—My hon. friend draws a conclusion from the language of Sir Charles Trevelyan—a mere inadvertence on the part of the latter evidently—which hardly does justice to the active exertions of Sir John Rose, for he continues to do all he can to promote the object we have all in view. In reply to the hon. member's question, I may say I am unable to promise that the Government will introduce a Bill during the present session for the purpose referred to. It is impossible to introduce a Bill without fixing the rate of duty. My hon. friend will see at present 12½ per cent. duty is collected. Sir Charles Trevelyan says that is a fair sum, but Messrs. Longman think it is not enough. It will be impossible to introduce a Bill until we see the action of the British Parliament, and have such information as will enable us to fix the percentage that will be satisfactory to all parties.

Hon. Mr. RYAN thought the same duty, 12½ per cent, would be accepted as quite sufficient, and that a conditional Act might be passed by the Dominion House of Commons to the effect that so soon as

the Imperial Parliament shall pass an Act granting power to reprint British copyright works in Canada, then the Governor in Council shall have authority to levy an excise tax of not less than 15 per cent. on such reprints for the benefit of the author or holder of the copyright.

Hon. Mr. WILMOT—I think that the hon. member deserves much credit for the energy with which he has pressed the matter. It seems certainly a very anomalous state of things that the Canadian publishers are obliged to go across the lines to set up a printing establishment in order to print books for circulation in Canada. We should do everything in our power to encourage home industry—not drive it to foreign countries.

Hon. Mr. SANBORN—I think that the hon. member is entitled to every credit for the perseverance he has shown in directing the attention of the House and Government to this important question. I had the honor of expressing an opinion on a former occasion, which met with some degree of approval, that we might have now the power of legislating directly on the question of Copyrights. We are seeking the power in a different way from what we are seeking anything else. When Legislative power is given to a Colony, it is well understood on constitutional principles it cannot be properly withdrawn; and when we have representative institutions we have the right of exercising all the privileges that they bring with them. We have exercised that power in former times with as little apparent right as in this case. I am aware that the Imperial Copyright Act does extend over the Colonies. I am also aware that with regard to Patents of Invention, which is a cognate question, and ought to be treated in the same way, full liberty has been conceded to us by the Imperial Government, and if I remember rightly it was conceded on account of a refusal on the part of the colonies to accept the Imperial view of the matter. It was the custom to issue Patents in England for all the colonies, but it was found that there was great reluctance even on the part of our Courts to enforce those laws, therefore they became nullities, and the issue was to leave the matter in our own hands. Now we might ask whether the same result would not accrue if we adopted a copyright law of our own. Will we not give equitable justice to authors, by dealing directly with this subject? Where is the impropriety of asking what Colonial Parliaments have done in several instances, legislating upon matters where there was, to a certain extent, an infringement of

Imperial Legislation, but where, at the same time the spirit of our constitution, gave us this power of acting. It seems to me in that way we may best obtain what we now desire.

Hon. Mr. CAMPBELL—There is no doubt great force in the remarks of the hon. gentleman, and I think it advisable to bring the matter under the notice of the Minister of Justice, and ascertaining the possibility of obtaining the object in the way suggested by the hon. member.

Hon. Mr. RYAN—I hope this will not prevent the Government urging immediate action in the direction which I have suggested.

Hon. Mr. CAMPBELL—Certainly not. The letter I previously mentioned is now being written.

POSTAL FACILITIES.

Hon. Mr. BOTSFORD made the following motion: That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to be laid before this House, a return shewing the number of special trains run on the E. and N. American Railway, and the portion of the Intercolonial extending to Amherst, or any portion thereof, from the 1st day of May, 1871, to the last day of December of the same year, stating the object, expense, and receipts of such special trains, and by whose authority they were ordered. Also a return shewing the names and numbers of all persons who have passed free on any portion of such railways, stating by whose authority and for what cause such free passes were given for the period above mentioned. In the course of some remarks on the subject he referred to the want of mail accommodation on that part of the Intercolonial Railway between Painses Junction and Amherst. He stated from personal knowledge that there had been no passenger or mail trains between those two points, although they were running on other portions of the road. The Postmaster General lately made an arrangement by which a postal car was put on for the accommodation of the public, but on account of more importance being attached to traffic that car was constantly shunted off.

Hon. Mr. CAMPBELL would enquire into the matter, and certainly remedy any mistake that may have arisen. He did not understand why the matter had not before been brought under the notice of the Government. The returns asked for, he added, would be brought down as soon as possible.

ADJOURNMENT.

On motion of Hon. Mr. WILMOT, seconded by Hon. Mr. ARMAND, the House agreed that when it adjourned that day it should stand adjourned until the evening of Wednesday next.

IMMIGRATION AID SOCIETIES.

Hon. Mr. CAMPBELL introduced a Bill entitled an "Act to provide for the incorporation of Immigration Aid Societies," and in doing so, stated that it had been prepared in consequence of the formation at Ottawa last winter of a society to aid in the bringing of immigrants into this country. Under the Bill the Minister of Agriculture, will have power from time to time, to divide the Provinces into Immigration Districts, in each of which there shall be an Immigration Agent. In each district, an Immigration Aid Society or Immigration Aid Societies, for the purpose of assisting immigrants to reach Canada from Europe, and to obtain employment on their arrival in Canada, and of enabling persons in Canada in want of labourers, artisans, or servants, to obtain them by such immigration, may be formed under the Act. The Society shall have power to enter into agreements and contracts, either with members of their corporation or with others, for any purpose relating to immigration. The Society may receive applications from persons desiring to obtain artisans, workmen, servants or laborers from the United Kingdom, or from any part of Europe, and may enter into any lawful contracts with such persons, including the obligation on the part of such persons to employ the immigrants referred to on their arrival in Canada. It was the object of the Government to give all the aid in their power to all Societies who were endeavoring to bring additional population into the country. He had no doubt the Bill would meet with the approbation of the House.

Hon. Mr. SANBORN had looked cursorily over the Bill, and could not see that it contained any objectionable features, but it seemed to him, the first clause might entail considerable expense, since it gave the power to the Minister of Agriculture to establish an office in every district. So far we have had considerable machinery to induce immigration, but with very little satisfactory results. Unfortunately the constitution under which we are now placed has divided the control of this mode of immigration. The Local Governments, besides, hold the lands which are the principal incentive of immigration. The Federal Government consequently was cramped

as to means to effect the purpose it has in view, and could only resort to direct subsidy. He thought the best agents are local industries—the encouragement of manufactures and construction of public works. He thought it advisable to consider whether such Colonization Societies as existed in Quebec should not be legislated for in the same Bill—it would not be expedient to have two societies of a cognate character in the same locality. He was satisfied that whatever was done by the present head of the Department with the view of promoting immigration would be well performed; he was a man of business capacity and good judgment, and would bring those qualities to bear on the administration of this Department; but the same time it was well to remember that he was called upon to a large extent to make bricks without straw, since the means at his disposal for achieving anything were very limited.

Hon. Mr. WARK thought that the present Bill was intended to do a great deal of good, and expressed his opinion that it was not advisable for newly arrived immigrants to go upon wilderness lands before they had served some time upon cleared farms.

Hon. Mr. WILMOT expressed a similar opinion, and believed measures should be taken to keep our own people in the country by the encouragement of home industries.

Hon. Mr. CAMPBELL said that the objection raised to the first clause was met by the fact that any money required would have to be voted in Parliament every session. At present the immigration offices were few in number, and there was no intention just now to enlarge the number, but only when the necessity arose. He was sure that the Minister of Agriculture would read with pleasure the remarks of the hon. member for Wellington Division with respect to himself. A great deal had already been done in the direction of promoting immigration since his hon. friend had joined the Government. As respects the reference to the Colonization Societies he would mention the matter to the Minister of Agriculture.

The Bill was read a second time.

ST. FRANCIS AND MEGANTIC R. R.

Hon. Mr. SANBORN moved the second reading of the Bill intitled: "An Act to amend the St. Francis & Megantic Railway Act," the principal objects of which are to enable the additional issue of half a million of bonds, and the construction of a

telegraph line along the route. Referred to the Committee on Railways, Banking and Commerce.

PUBLIC LANDS.

On motion of Hon. Mr. CAMPBELL, the Bill respecting public lands was made the first order of the day for Wednesday next.

The House then adjourned.

WEDNESDAY, 15th May.

The SPEAKER took the chair at half past nine, p.m.

LIGHT HOUSE.

After presentation of a number of petitions,

Hon. Mr. KAULBACK asked whether it is the intention of the Government to make provision in the Supplementary Estimates for the construction of a Lighthouse on Green Island, off St. Margaret's Bay, for the better protection of the large interest engaged in Shipping and Navigation along the Southern Coast of Nova Scotia? The hon. gentleman alluded to the importance of the work, and pressed its construction in strong terms on the attention of the Minister of Marine and Fisheries.

Hon. Mr. MITCHELL replied that the matter was under the consideration of the Government who were aware of the importance of the work, and would probably come to a favorable decision respecting it.

The House then adjourned.

THURSDAY, 16th May, 1872.

After presentation and reading of Petitions,

PETITIONS.

Hon. Mr. SANBORN—From Committee on Standing Orders and Private Bills, reported favorably on Petitions of Louis Archambault of Quebec; of D. McInnes and others; Canadian Suspension Bridge Co.; G. E. Archer and others; D. A. Macdonald and others of Alexandria, O.; T. Reynolds and others; W. McMaster and others; Committee reported petition from Chatham Board of Trade as belonging to jurisdiction of local legislatures.

MESSAGE.

Messages were received from House of Commons with Bills respecting securities given by officers of Canada, Dominion Notes, G. T. R. and International Bridge Companies. These Bills were read a first time.

WEIGHTS AND MEASURES.

Hon. Mr. GIRARD asked whether the Government intends to give the Province of *Manitoba*, a law regulating weights and measures, or to extend to that Province same laws and provisions on the subject of weights and measures as are in force in other parts of the Dominion, and to appoint Inspectors of weights and measures there.

Mr. CAMPBELL replied that it is not the intention of the Government to establish the same laws in *Manitoba* during the present Session, but they hoped to establish a perfect and uniform system for the whole Dominion when the next Session meets.

POSTAL FACILITIES.

Hon. Mr. GIRARD again made the following enquiry and urged the attention of the Government to the subject which is of much importance to the Province he represents, where there is considerable difficulty found to transmit money, especially in small sums:—Whether the Government intends to complete the organization of the Postal System in *Manitoba*, by establishing therein a Money Order Office or Money Order Offices and a Savings Bank Office or Saving's Banks Offices, such as are established in the other parts of the Dominion.

Hon. Mr. CAMPBELL replied that the Government had every disposition to meet the wants of the people of *Manitoba* in every particular, and would pay attention to the postal requirements of that Province at the earliest date possible.

PUBLIC LANDS.

The House then went into Committee on Bill respecting Public Lands.—Hon. Mr. HAMILTON in the Chair.

Hon. Mr. GIRARD said in French that he naturally felt great interest in the measure, affecting as it did the people of his own Province. He had looked carefully over the Bill and had no objection to many of its details, but there were certain features which he did not approve of and which he thought required modification and amendment. He proceeded at some length to state his objections, and read some amendments which, whilst they did not affect the principle, materially affected the details of the Bill.

Hon. Mr. LETELLIER DE ST. JUST proposed that the hon. member have his amendments printed, so that the House might be in a position to undersand their actual tendency.

Hon. Mr. AIKINS agreed to go on with those clauses to which there was no particular or valid objection.

Hon. Mr. CHRISTIE said the Bill in respect to homestead principle was really more liberal than the American law.

In answer to an objection raised by Mr. Girard to the 18th clause respecting those Townships reserved to Indians, Hon. Mr. AIKINS explained that when the Hudson's Bay Company transferred their rights, they were entitled to receive 5 per cent. of the lands of the Territory. The Company adhered to the right, and the Government had no option in the matter.

Clause 22 respecting Educational endowment having been read,

Hon. Mr. BUREAU proposed an amendment dividing the lands among all religious denominations for separate school purposes, in proportion to their number.

Hon. Mr. AIKINS explained that such a provision could not properly be incorporated with the present Bill which simply set apart the lands as an endowment for purposes of education

Hon. Mr. BUREAU agreed to defer his amendment until another stage in the proceedings, stating that he wished to have lands in question disposed of according to certain principles.

Hon. Mr. GIRARD suggested that the land should be under control of Trustees or School Commissioners of sections where they may be, who would keep them for education, but would not have authority to dispose of them except through an order in Council.

Hon. Mr. AIKINS explained that such provision was superfluous in present Bill.

Hon. Mr. LETELLIER DE ST. JUST thought the means of assisting Education should be entrusted to the Local Government.

Hon. Mr. AIKINS said, that it rested with the Parliament hereafter to say what shall be done with the lands.

In reply to Hon. Mr. SANBORN,

Hon. Mr. AIKINS stated that one dollar per acre, would be about the same as that fixed to land in *Minnesota*; the Government thought that the price would deter persons from buying for mere speculative purposes.

Hon. Mr. SANBORN hoped, when village lots were laid out in accordance with clause 31, care would be taken to reserve space for market places, cemeteries &c.

The Committee rose and reported progress.

AFTER RECESS.

The House again went into Committee on the Bill.

Hon. Mr. BOTSFORD, in reference to the 31st clause, thought the upset price

should be fixed on village lots, which may be sold at private sale.

Hon. Mr. AIKINS said the principle generally laid down by the Government was to sell by public Auction, but it was deemed advisable, in certain cases, to allow a choice of selling by private sale.

In reply to a suggestion by SENATOR FLINT Hon. Mr. AIKINS replied that there was no intention of having cemeteries in villages that might be laid out.

The pre-emption clauses were amended so as to merge them into the homestead system, in accordance with the principle to be adopted in the United States.

Hon. Mr. SUTHERLAND urged in strong terms the claims of a class of persons who were not considered in the arrangements with respect to the lands of Manitoba. These persons were living on very narrow strips of land, and many of them would be obliged to leave. During the recent troubles no men had acted more patriotically than this class of persons whose claims had been ignored. It was a great injustice that the people in the section where he himself lived should have been forgotten in the allotment of grants of land. He did not blame the Government but was under the impression that the rights of these people who were the pioneers of the settlement had not been sufficiently pressed on their attention.

Hon. Mr. MacFARLANE urged the claims of these people to consideration.

Hon. Mr. AIKINS said it was open to these or other settlers to get 160 acres of land on payment of a small fee.

Hon. Mr. SANBORN said then they were not placed in any better position than new settlers.

Hon. Mr. LETELLIER DE ST. JUST said that these people were not treated as well as those who belonged to his own nationality, and expressed the hope that their claims would receive attention. Such a concession as that suggested would tend to the harmony and happiness of the whole community.

Hon. Mr. GIRARD said that if the Government adopted the suggestion they would do what would be satisfactory to all classes of the population of Manitoba.

After some remarks from Hon. Mr. BENSON to a similar effect,

Hon. Mr. AIKINS replied that he would take the matter immediately into consideration.

Considerable desultory discussion arose on that part of the 34th clause which did not allow a settler voluntarily relinquishing or abandoning his claim, to make a second entry. After remarks from Hon. Messrs. Christie, Flint, Skead, and others,

Hon. Mr. AIKINS agreed to amend the clause so as to allow the second entry.

In reply to an amendment proposed by Hon. Mr. GIRARD with reference to hay lands, 36th clause.

Hon. Mr. AIKINS stated that the question of hay land would be dealt with during the present season, and the right of common would be ascertained. Those who have the right of hay or common would get their consideration in land.

In clause 45 respecting coal lands,

An amendment was adopted on the suggestion of Hon. Mr. LETELLIER DE ST. JUST, allowing mine to be forfeited in case parties cease to work them for six consecutive months.

Hon. Mr. GIRARD urged that the Province of Manitoba should be exempt from the provisions of the 48th clause:—"Any tract of forest land covered by forest timber may be set apart as timber lands and reserved from sale or settlement."

Hon. Mr. AIKINS explained that such an amendment was unnecessary in a Province situated like Manitoba.

Clause 65 respecting Slides having been read

Hon. Mr. LETELLIER DE ST. JUST asked if provision should not be made to prevent saw dust being thrown into rivers.

Hon. Mr. AIKINS said the Local Government would have regulation of such matters.

The Committee went through 74 clauses, rose, reported progress, and received leave to sit again.

The House adjourned at a quarter past 10.

FRIDAY, 17th May.

The SPEAKER took the chair at three o'clock.

After the presentation of petitions and other routine proceedings,

Hon. Mr. AIKINS brought up a return respecting the Intercolonial Railway.

RAILWAY.

Hon. Mr. HAMILTON, from Committee on Railways, Commerce and Banking, reported favorably on the Bill respecting the St. Francis and Megantic Railway Company.

DIVORCE.

Hon. Mr. CAMPBELL moved the second reading of the Bill to provide for the divorce of John Robert Martin, and in doing so said he did not vouch for the accuracy of the facts alleged therein.

In accordance with the rules of the House, Richard Martin was called to the

bar and gave evidence of the service of certain papers on defendant.

The Bill was carried on a division, demanded by Hon. Mr. Letellier de St. Just. Contents 36; non-contents 19. It was then referred to special committee to examine evidence.

IMMIGRATION.

The House then went into Committee—Hon. Mr. Botsford in the chair—on the Bill incorporating Immigration Aid Societies, which was reported upon without amendment, read a third time and passed

PRINTING.

On motion of Hon. Mr. SANBORN, the first report of the Committee on Printing was adopted.

QUARANTINE.

Hon. Mr. CAMPBELL moved the second reading of the bill respecting quarantine, which re-enacts laws respecting that subject, except those referring to public health, which properly fall under the jurisdiction of the Provincial Governments. It also includes several amendments to the laws of the Maritime Provinces, which experience has shown to be necessary.

Hon. Mr. SANBORN referred to the distinction made by the Government with reference to the subject of public health, and expressed the opinion that they had come to a proper conclusion although the view was different from that taken with respect to many other matters which came before Parliament although belonging properly to local jurisdiction. He urged the Government to lay down a general principle and apply it to all legislation. The Parliament, under its present position, was absorbing an amount of business which ought not to come before it.

Hon. Mr. MACFARLANE agreed with the previous speaker that the time had come to establish a certain principle with reference to such matters. He was glad that the Government had introduced such a measure which, he hoped, would prevent the introduction of disease into maritime ports in the way it was done in Halifax last summer.

Hon. Mr. GIRARD alluded to the necessity of preventing introduction of disease into Manitoba from North West by Indians and others.

Hon. Mr. BOTSFORD wished to know what distinction could be drawn between Public Health and Infectious diseases of Stock, on which Parliament had legislated.

Hon. Mr. WILMOT was of opinion that power of dealing with diseases should not

be divided, but given exclusively to local legislatures or General Government.

Hon. Mr. CAMPBELL agreed that it was advisable to have a definite principle, as urged by the member for Wellington Division, but it was found very difficult to arrive at a decision on the subject. A Joint Committee had been appointed during a previous session to deal with the question, but nothing had come out of it. Probably in the course of time a satisfactory arrangement would be arrived at, and such perplexities as now constantly arose prevented. As respects the measure concerning Infectious Diseases, he did not remember its exact nature, but supposed it referred to Quarantine. In answer to the member from Manitoba, he stated that it might be necessary to frame a law which would prevent infectious diseases, like small pox, coming into Manitoba from the North West Territory.

The bill was then read a second time.

PUBLIC OFFICERS.

Hon. Mr. CAMPBELL moved the second reading of the bill (from the House of Commons) respecting security to be given by officers of Canada.—Carried.

RAILWAY BILL.

Hon. Mr. FERRIER moved the second reading of the bill confirming a certain agreement between the Grand Trunk Railway and the International Bridge Company, and for other purposes.—Referred to Committee on Banking, Railways and Commerce.

PUBLIC LANDS.

The House again went into Committee on the Bill respecting Public Lands, Hon. Mr. Hamilton in the chair.

In accordance with the suggestion of Hon. Mr. BUREAU, the 107th clause was so amended as to read: "Governor in Council shall, at any time hereafter, subject to then existing rights, as defined or created under this Act, withdraw from the operation of this Act such lands as have been reserved for Indians or may be required to satisfy the half breeds claims"

The Bill having been considered,

Hon. Mr. SUTHERLAND asked the Government whether any steps had yet been taken in accordance with his suggestion of the previous night, that a grant should be made to a class of persons whose claims hitherto had been overlooked.

Hon. Mr. AIKINS would be prepared with an answer before the Bill was read a third time.

Hon. Mr. WARK urged the claims of these settlers to favorable consideration.

The Committee rose and reported the Bill with certain amendments. Report was adopted and the Bill ordered to be printed, as amended, before the third reading.

The House then adjourned.

MONDAY, 20th May, 1872.

The SPEAKER took the Chair at 3 o'clock p.m.

RAILWAY BILL.

Hon. Mr. HAMILTON, from Committee on Banking, Railways, and Commerce, reported Bill respecting G. T. R. and International Bridge Companies, without amendment.

PETITIONS.

Hon. Mr. SANBORN, from Committee on Standing Orders and Private Bills, reported favorably on petitions of Manitoba Insurance Co.; Manitoba Bank; Ontario Shipping Forwarding Co.; Anchor Marine Insurance Co. They also reported that petitions of W. Ford Jones of Gananoque and others, and Dominion Trust Co. refer to provincial objects.

CIVIL ACTIONS IN BEAUCE AND MONTMAGNY.

Hon. Mr. BUREAU moved:—That an 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 tabular or other statement showing:

1st. The number of actions, oppositions or other proceedings of an appealable nature, in which contestations took place, and hearings on the merits were had in the District of Montmagny, from the first January, 1868, to the first January last; the number of such causes in which judgment has been rendered; how many of them have been carried before the Court of Revision or the Court of Appeals; how many of such judgments have been confirmed; how many reversed, and how many are still undetermined in Revision or in Appeal.

2nd. The number of actions, oppositions or other proceedings of an appealable nature in which contestations took place and hearing on the merits were had in the District of Beauce, from the first of January, 1868, to the first of January last; the number of such causes in which judgment has been rendered; how many of them have been carried before the Court of Revision or the Court of Appeal; how

many of such judgments have been confirmed; how many reversed, and how many are still pending undetermined in Revision or in Appeal.

3rd. The distance between Montmagny, St. Michel and St. Jean respectively, and the City of Quebec, and the mode of communication between those places and the City of Quebec and Montmagny, respectively.

Hon. Mr. CAMPBELL said that a good deal of the information asked for was not in the control of the Dominion Government but was to be obtained by reference to the local administration.

ELECTORAL DISTRICTS IN N.B.

Hon. Mr. BOTSFORD asked whether it was the intention of the Government to equalize the Electoral Districts, for the election of Members to the Commons in New Brunswick, and how it proposes to apportion the additional Members to which that Province is entitled. He called attention to the inequality of the electoral divisions in New Brunswick as respects the election of members for the Commons. For the last five years evident injustice had been done to large and populous districts. For instance, Westmoreland, with a population of 30,000, had only one representative, whilst three others, with only 23,000 souls, had one each. Restigouche, Sunbury, Albert and Victoria with 34,700 had four representatives. He mentioned some other facts in corroboration of his assertion at the commencement of his remarks, and urged the necessity of remedying the injustice that had been done under the temporary Act now in operation.

Hon. Mr. MITCHELL replied that he was glad that the hon. member had called attention to a question of so much importance, and that he could only say for the present that the Government had gathered all the facts they could in relation to the subject, and would soon be able to state the conclusions to which they had come.

SUPERIOR COURT JUDGES.

Hon. Mr. BUREAU asked—

1st. Whether the Government will, during the present Session, appoint a *Puisné* Judge of the Superior Court at Montreal, conformably with the Act of the Legislature of Quebec, passed at its last Session?

2nd. Whether to that end, resolutions will be introduced during the present Session, providing for the payment of the salary of such sixth Judge, or whether a

sum for the salary of such sixth Judge has been placed in the estimates for the fiscal year 1872-3?

3rd. Whether the Government intend to increase the salaries of the *Puisnés* Judges of the Superior Court for the Province of Quebec, seeing that those salaries are insufficient, considering the important duties those Judges have to fulfil, and the qualifications their high and responsible position requires them to possess?

In making the motion he called attention to the anomalous position in which the administration of Justice stood owing to the B. N. A. Act. Before a new Judge could be appointed the Local Government had to pass a law, and the Federal Government had to nominate him and fix his emoluments. He hoped that there would be as little delay as possible in promoting the administration of Justice in Quebec, and with the view of obtaining information on that point, he had made the motion in question.

Hon. Mr. CAMPBELL replied that it was the intention of the Government to introduce a Bill which would effect the object referred to in first enquiry. Provision would also be made for the payment of such an office, as soon as the necessary legislation was effected. He quite agreed that the salaries of the Judges were too low, and had no doubt that it would be necessary to revise them next session.

RAILWAY.

The Bill to amend the St. Francis & Megantic Railway Act was read a third time and passed.

QUARANTINE.

The House then went into Committee—Hon. Mr. FERRIER in the Chair—and passed the Quarantine Bill, with an amendment. It was read a third time and passed.

PUBLIC OFFICERS.

The House again went into Committee—Hon. Mr. LETELLIER DE ST. JUST in the Chair—on the Bill in reference to the security given by officers of Canada, and passed it without amendment. The Bill was then read a third time and passed.

DOMINION NOTES.

Hon. Mr. CAMPBELL moved the second reading of the Act regulating the issue of Dominion Notes, and in doing so stated that under the law passed in the thirty-third year of Her Majesty's reign, the Government received the power to issue

Notes up to a certain amount, and when that amount was exceeded then they were only allowed to issue additional Notes by holding the same sum in specie for the redemption of such Notes in excess. This regulation had been found by the Government to operate unfairly upon the banks and the public, as there was a demand from day to day for smaller notes over and above the amount in circulation which it was very difficult to meet on the terms mentioned in the original Act. It was therefore proposed under the Bill to allow an issue of Notes, &c., above the \$9,000,000 on a security consisting partly of specie—at least 20 per cent. of the excess—and partly on deposits held by the Banks. The Government had come to the conclusion that such a measure was necessary for the convenience of the country at large. The security was ample inasmuch as the 20 per cent. was a sum in specie not exacted from the Banks, who were consequently more favored than the Dominion itself. He also argued that this sum really represented a good deal more. The Government were obliged to hold specie at four different places in the different provinces and to meet the fluctuating currency they would necessarily be obliged to keep more than 20 per cent. It had also been found that the circulation is fluctuating, and the Government through the Finance Minister, had been obliged from time to time to interfere and limit the circulation unnecessarily and inconveniently because the arbitrary rule had been laid down that they must hold dollar for dollar over and above the issue of nine millions of dollars.

Hon. Mr. MACPHERSON regretted that the Government had seen fit to introduce such a bill, as he could not help feeling that it was a step in the wrong direction. It was above all things important that the currency should rest on a very secure basis—immediate redemption in gold. Under the present Bill it was proposed to change the present Law, so that only 20 per cent. need be kept in reserve to redeem the excess of circulation over and above the \$900,000,000. It was true that the bill also provided that the balances held by the Government in the banks should be considered as a portion of the reserves. He hoped that the Government would not press such a provision. Those deposits were not equivalent to gold; for the banks are not obliged to redeem their notes in gold, but in Dominion paper. So the effect of the system was really paper upon paper. He did not think it judicious to weaken the reserves too much. It was quite possible that dollar for dollar was an

unreasonable amount, and less might do; but the amendments proposed in the Bill went altogether too far in the wrong way. They had the tendency to render the immediate redemption of notes less secure, a state of things which Parliament should guard against, for the result might be a depreciated currency. He was also afraid that the tendency of the measure, would be to create bank favoritism—a very undesirable result certainly. So long as the present Government were in power, he did not apprehend any danger, but it was wise to guard against the future. Suppose the case of a favored bank being in a weak position, and that the Government wished to help it, it might lend such an institution a million of dollars, and only require one-fifth of that amount to be held—or \$200,000 in gold. The balance of \$800,000 might remain on deposit, or the bank might get credit for an unlimited time. Such a state of things was, in his opinion, very objectionable and should be prevented if possible. We had an instance in Upper Canada where a certain bank suffered very much from favoritism of this sort. Money was left on deposit, which it lent unwisely, and everybody knew the unfortunate results that accrued at last. He hoped that the Government would not press the bill in its present shape, but would consent to hold at least 40 per cent. in gold. The Postmaster General had quite correctly stated that the Government would in reality hold more than 20 per cent, and, for the same reason, the 40 per cent. would, in the end, actually amount to 50 per cent. Such a reserve would be quite sufficient, but still the other provision with respect to the deposits was very objectionable and he would like to see it expunged from the Bill.

Hon. Mr. RYAN agreed with most of the remarks of the preceding speaker, for he was sure that whilst we based our currency on gold, we would have a currency which would inspire confidence among all who have business to do with the country. If we departed, to any great extent, from such a principle, as would be the case under the bill, then confidence in our monetary position would be impaired. When we relaxed our system and held out to banks an opportunity of receiving currency which they do not require to pay for in gold, undue expansion would ensue, and financial embarrassment be the final result. As long as we went on prosperously that expansion might seem safe enough but let a crisis occur, as it may occur in the best regulated countries, and banks get into difficulties, then the country

would suffer. It was more prudent to go on quietly and cautiously than to encourage undue expansion and its dangerous consequences. He hoped that the appeals which had been made to the Government would be heeded, and that they would consent to amend the bill. The House had confidence in the financial capacity and prudent management of the gentleman who now conducted our financial affairs, and whilst he remained in the same position the country was not in danger; but we had no guarantee for the future, for we did not know who might be in office some years hence, and therefore it was advisable to protect the public interests by every means in our power. He was confident that those banks which wished to carry on their affairs prudently, would not object to see the amount of specie held in reserve augmented to 40 per cent.

Hon. Mr. LETELLIER DE ST. JUST said that he held views similar to those just expressed, but he believed the wealth of the country which was the guarantee for the debentures was as good as gold. But the moment the benefit of the circulation was given to the banks instead of to the country, then we were moving in the wrong direction. It became more necessary that gold should be the basis, the moment you deprive the Government of the benefit of the circulation and hand it to the banks.

Hon. Mr. WILMOT said that every one could bear testimony to the benefit derived by the whole country from the issue of Dominion Notes. When he had first addressed the House on this subject in 1867, the amount of the circulation, was only \$12,000,000, consisting almost entirely of Bank Notes—not one per cent. on the taxable property of the country. His hon. friend from Toronto had dwelt strongly on the gold as the great security, but he (Mr. W.) could remember that in 1825 had it not been for the discovery of some one pound notes the Bank of England would have been obliged to shut its doors. The country, at that time, wanted circulation,—there was no want of prosperity—and the result was a crisis, causing great depreciation of property in Great Britain, ruinous bankruptcies, and the failure of many Banks. We have a country of 4,000,000 of people, and the Census of 1851 shewed property to the amount of \$1,400,000,000. If we looked at the country alongside of us, and compared the Census returns from 1861 to 1871—during which years a most disastrous war had occurred, causing the withdrawal of an immense number of persons

from industrial pursuits, and destroying an enormous amount of property, we find that the value of taxable property had increased from \$1,000,000,000 to 30,000,000.

Hon. Mr. MACPHERSON—The value in one case is in gold, and in the other in depreciated currency.

Hon. Mr. WILMOT—At the same time there was now held more gold in the Banks of the United States and Treasury Department than ever before. This result was due in his (Mr. W.'s) opinion by Mr. Chase adopting the policy of issuing legal tender notes to the extent of \$413,760,363 and establishing a free Banking Law with an issue of \$300,000,000 of national Bank Notes, making the whole currency uniform guaranteed by the nation. Under this financial policy, no notes could be issued by the Banks without security, and it had given such a stimulus to the industry of the people, that they had not only paid off the large sum of \$890,000,000 of their debt, but had also released the country of a large portion of internal taxation. The policy was not without precedent, for Mr. Pitt, one of England's greatest statesmen, had inaugurated one some what similar in 1797 by making Bank of England notes a legal tender guaranteed by the State, leaving gold to find its value in the market like all other commodities, which continued until 1823. The hon. member would not deny that during the period referred to, it was the trade with that country (U. S.) which had stimulated production in the Dominion, and thereby kept up our Banks in a great measure, by supplying them with a large amount of foreign exchange. Our farmers and others were able to sell their goods to our neighbors, for the very currency of which he spoke so disparagingly, and in that way assist to swell the revenue to its present proportions. The Bank of England was restricted by the Act of 1844 and beyond the £15,000,000 of notes secured by consols and obliged to hold five sovereigns for every five pound note issued by this Act. The banking department was separated from the issue department. In 1847 the bank was bankrupt so far as the law was concerned and the Government had to come forward and relieve the bank by allowing it to issue notes beyond the law. In 1857 it was the same thing, and in 1866, two banks had a larger amount of deposit in the bank of England, than all the gold that was held in both departments which they threatened to demand. Again the Government had to come forward and stop the depreciation of property, in consequence of the

restriction of circulation caused by a foreign demand for gold. Even now on account of the German purchases of gold in the London market, the Bank of England had again raised the rate to five per cent and it may go far higher, restricting the home-trade, and may end in a crisis and panic. He was of opinion that the gold system was based on a fallacy—it was attempting to make a certain quantity of gold not only the unit of quantity but the unit of value, a thing impossible without causing violent fluctuations. The history of the United States for the past ten years was a proof that the theory in question was based on a fallacy. Their system had tided the country through a most critical period without a commercial crisis, when its credit was almost prostrated, and lately the discount had been only $9\frac{1}{2}$ as between paper and gold. Great Britain paid off more of her debt during the two years closing the war of 1815, than she has ever paid since, and that was under the system of making Bank of England notes legal tender, and allowing gold to find its value in the market like any other product of labour. The effect of resuming specie payments, under Sir Robert Peel's Act of 1819, was to increase the public debt and private debts, incurred in paper at $13\frac{1}{2}$ to the sovereign—in fact to increase all the liabilities of the country one-half for the benefit of the fundholders and creditors at the expense of the public and the debtors. With respect to the present Bill, it left the Dominion notes up to \$9,000,000, as they were before, but as regards the issue beyond that sum there was no restriction whatever. In his judgment, the amount of Dominion notes ought not to exceed the amount of the annual revenue. In the next place he did not think the public should endorse the amount of circulation to be given to the Banks without their obtaining something for it. The circulation of Dominion notes was the best kind of currency we could have, for with them we could travel from one end of the country to the other. They were a legal tender endorsed by the State, and the whole property of the country was liable for their redemption. What he wished to see was, that the circulation is as secure as in the neighboring country. The Banks were not liable to be called upon to pay in gold on demand. They had to deposit actual value—in debentures of the United States—and receive only 90 per cent. of circulating notes for them. In this country the result of the circulation of Dominion notes had been most beneficial. Now the total circulation had risen from \$12,-

000,000 to \$34,000,000—the Bank circulation having reached \$23,000,000, and that of the Dominion notes \$11,114,000. He wished to see our banking system made still more liberal, so that any number of individuals, on furnishing proper security, and registering the name of their locality and amount of capital, should have the right to establish a Bank; and he was sure that the intelligence of the country would support such a system, for it would place banking in the same position as all other business dealers in money.

Hon. Mr. BUREAU said that he considered the issue of Dominion Notes when prudently managed, could promote the public interests. The money now circulating might be doubly advantageous to the country. In the first place, it was a benefit inasmuch as we had not to pay interest on the Dominion notes. Again, the money we have to borrow in England for the construction of our public works, could be placed out at interest at a good rate—nearly equal to the amount we have to pay in England. Indeed, it might be shown that we would receive a benefit to the extent of making a saving of 8 per cent. by the circulation of our notes. The Government was to reserve 20 per cent., and that was quite sufficient in his opinion because we had the whole country as security, and the Government might at any time have gold for any amount; and in fact we had enough to meet our liabilities. The only thing of which he complained in the present bill was that there was no limitation as to the issue. If we looked to the experience of the United States to guide us, we found that the amount of the circulation of the banks was limited to some \$300,000,000, and comparing our population with that of the United States, we would be entitled to \$30,000,000. It was better for the Government to state definitely what amount they will require, but under any circumstances we must act with great care. The first time the Government issued notes, they asked for \$5,000,000, then they raised the sum to \$9,000,000, and now no amount was fixed, but the Government might issue as much as they pleased. One danger he apprehended was the patronage of the Government being handed to one favoured bank, and in that case a crisis might arise. In the month of September last, there was such a crisis because the gold was going out of the country into the United States where the market was a good deal better. The strongest institution had control of more gold than all the other institutions of the country combined, and the result was it had its

own way. When it required more gold for operations in the United States it went to the other banks and forced them to give it. Necessarily the banks were obliged to ask more for discount so as to pay for the gold they were obliged to get from the United States. The consequence was the banks did not respect their charters, but obliged persons applying to them for accommodation to pay 9 per cent. In September the Bank in question had in specie—in other countries, \$9,258,557, here \$1,577,093 or \$10,835,644, whilst all the other Banks in Ontario and Quebec had altogether only \$4,317,252; and hence it would be seen what power it held in its hands.

If the patronage of the Government is only to benefit one institution, if the deposits were not made of such a proportion as to prevent any run on a bank, there would be greater danger to be apprehended than now exists, of commercial embarrassment and bankruptcy. In the United States, the Government could always hold the keys of the position, inasmuch as the importations are paid in gold, and they have always in the treasury a quantity of specie to prevent every note circulated by the different banks is as at par, for it was considered as gold. If any persons combined to create a crisis with a view to speculation the Government were in a position to step in and prevent it. In this country, on the other hand, it was not possible to find gold in a moment. If the Government received the money for the Pacific Railway and placed it at deposit in a particular bank they could not ask for it at a days' notice. Since the British Government had found it expedient to withdraw the troops from the country, we were annually losing a great amount of gold—some million of dollars; and consequently we had to meet the expense of the defence of the country ourselves. Under these circumstances, the country was a loser to the extent of perhaps two millions of dollars. On the 30th April last circulation of the banks was \$23,307,658; of Dominion Notes \$10,129,575; fractional currency \$396,967; making a total issue of \$33,834,198. In specie the banks held \$9,002,522, and the Government \$3,023,368 for the redemption of Dominion Notes, making a total of \$10,060,090. From the foregoing figures it would seem that the circulation of notes was about the same in proportion to population as that of the United States. He did not know what the Government intended to do, but he thought it would be wise policy to fix the amount they proposed to raise under the present measure. They had

already done a great deal to promote the monetary circulation of the country; for it was not long since very many complaints were coming in of the inconvenience and loss arising from the existence of a depreciated currency; and no one undertook to remedy the difficulty until the present Finance Minister came into office. The persons who suffered principally by this depreciated currency were the small dealers and merchants throughout the country, and many of them had to pay as a daily operation at the rate of 5 per cent. on the \$100 to get rid of the coin, and the consequence was financial embarrassment time and again. He did not understand why the Finance Minister should not state the amount he intended to raise. Perhaps he proposed making a great financial stroke, place the money he would borrow for public works in the different banks and receive interest on it, while he circulated as many notes as he wished. He regretted that we had not now in this country a banking system like that in the United States, which would enable persons with a much smaller capital than \$200,000 to establish banks. He would like such institutions in towns and villages, with a capital of \$50,000. At present, the system was calculated to benefit only the wholesale merchants, but he wished to assist the farmers and small dealers in addition throughout the rural districts, but he had every confidence that the time would soon come when we would have a more liberal banking law. He could see evidence pointing to the establishment ere long of a Bank of Issue by the Government. In the meantime, however, for the reasons he had stated, he must give his support to the measure before the House.

Hon. Mr. WARK believed the present Bill was a departure from the system heretofore established in this country. The first \$5,000,000 issued required four millions of debentures and one of gold. The second four millions required one of gold also. Accordingly, the issue of nine millions required seven of debentures, and two of gold. Then we had to follow the practice of the Bank of England and issue every additional dollar on condition that it be redeemed in gold. He believed that the system so far had been profitable to the country, but it was an experiment the result of which had hardly yet been shown. It might be compared to the experience of a new Insurance Company; premiums came in very rapidly whilst the losses were small; but the time might arrive when embarrassment and complications would ensue. He was of opinion that we should

proceed with caution and not push the system to extremes. The effect of the proposed change, he believed, was to withdraw gold from the country. He knew that the Finance Minister expected that the additional issue would be in smaller notes; but it did not follow that the banks would put one dollar more of the money into circulation than was actually necessary to meet the demand of their customers. If anything beyond that was actually needed for the necessities of the country was issued, it would go into the vaults of the Bank and form part of their cash reserve, and gold would go gradually out of the country. In England the business was done with sovereigns. The Banks did not issue any notes under five pounds; but here there was paper as low as one and two dollars. The amount of cash reserves held in this country was some \$14,000,000, and assuming \$7,000,000 of that was in Dominion notes, then there was \$7,000,000 in gold, and if the Government held \$3,000,000 more, that made \$10,000,000 to represent the whole gold of the country. Indeed, it was a very rare thing to see gold passing in ordinary business transactions. Since the Union of the Provinces the country had been generally prosperous—no financial crisis had occurred, no difficulty had arisen to prevent the circulation being kept afloat; but in case of a monetary crisis, embarrassment might arise, and it was against such a contingency that Parliament should guard. Under all the circumstances he recommended caution, and a limitation to the accommodation which the Banks should receive. He did not believe there was any security in a paper currency—it was like a lottery.

Hon. Mr. SIMPSON said if we had the power to legislate so that other countries would take our notes as gold, hon. gentlemen might be right in the conclusions they come to; but the Chinese would not sell us their silks or teas without receiving what they considered the true equivalent. He did not think that the experience of the world had found out any currency equal to gold. He held that there was no safe banking unless there was a proper equivalent at the basis of the circulation. If a bank issued \$10 or 12,000,000, they had an equivalent in the shape of merchandise. True the Government had the whole country—they could impose additional taxes; but, nevertheless, they had no true commercial equivalent to fall back upon. He contended that the Bill was a breach of faith with the Banks, who agreed to surrender their rights on certain conditions, which they had fulfilled on their

part. He remembered the time when he could buy Government notes for 20 per cent discount—when the notes of a people of 40,000,000 were only worth 40 cents on the dollar. He was afraid that the principle on which we were acting would lead to a far worse state of things; for the Bill was entirely a step in the wrong direction. In 1879 and 1870, the whole of the discounts of the Banks of Ontario and Quebec were about \$56 000,000, while they had reached some \$94,000,000 at the present time; but he was unable to account in a legitimate way for so large an increase. He believed the present measure would lead to undue expansion and speculation, and sooner or later disturb business and bring about a financial crisis. No bank doing a correct business would advance money except for a sufficient equivalent, but here the Government proposed to issue without giving the country good security. He did not see anything in the measure with respect to the disposing of the notes—they might favor one institution to the injury of the others. Under any circumstances the amount of reserve should be much larger—at least 40 per cent.

Hon. Mr. BENSON was of the same opinion with those who urged that the principle of the Bill was not safe. He must express his strong objection to a system which made no restriction as to the amount of issue. He had every confidence in the finances of Canada, but at the same time he must urge that the amount of reserve be raised to 40 per cent. at least, and the amount of issue be limited.

Hon. Mr. CAMPBELL denied that there had been any breach of faith whatever with the banks. Parliament placed on the Statute Book a law reserving to the Government the right to issue notes within a certain denomination, and giving the banks privilege of issuing notes of a different denomination, besides relieving them of their taxes. The necessities of the country demanded that there should be an additional issue of one dollar notes. It was idle to say that a rule laid down at a certain period was to last for all time to come. If there was really a necessity for the augmentation of one dollar notes, then it was absurd to say we should be tied down by a cast iron rule applicable to different circumstances. His hon. friends thought there should be an increase of the specie reserve; but it should be remembered that the banks were not obliged to hold a single dollar in specie; and if that was considered safe in the case of those institutions, it ought to be so certainly in the

case of the Dominion which was liable for, and able to meet all its own liabilities. The Government could have no object in view in proposing such a measure except to meet the requirements of the country. No Ministry would dare to favor one bank by giving it the control of the greater part of the issue; the Bank returns were published from week to week, and the amount of their deposits could be easily seen. He admitted that there must be a basis in gold, but he did not understand that the Finance Minister was particularly wedded to the amount of reserve. He had great respect for the opinions of hon. gentlemen who had spoken on the question, and would take the earliest opportunity of consulting the Finance Minister on the subject.

Hon. Mr. SIMPSON said that five gentlemen, deputed by Banking institutions had waited on a member of the Cabinet who took the leading part on this question, and had come to an understanding with him.

Hon. Mr. BOTSFORD said that a limit of some kind should be fixed to the issue of notes.

Hon. Mr. NORTHUP was inclined to the opinion that the measure, on the whole, would be acceptable to Nova Scotia. Some 80 per cent. of the Dominion notes would get into circulation, and the currency of the whole country in that way benefited. The best security which the Dominion had lay in the prudence of the Finance Minister and in the standing of the Banks. The Finance Minister would not issue money except to meet the public necessities, and certainly he would not advance it to any Bank unless he had confidence in its management and discretion, and that he could ascertain from the returns and other means open to him. He felt that the Nova Scotia Banks, managed as they were by discreet Directors, might be safely entrusted with the circulation. Under all the circumstances, having given the measure his careful consideration he was quite prepared to accept it as devised in the interests of the country.

The Bill was read a second time.

The House then adjourned.

TUESDAY, May 21.

The SPEAKER took the Chair at three o'clock.

After presentation of petitions

DIVORCE.

Hon. Mr. CAMPBELL, from the Select Committee, reported that one of the witnesses called to give evidence respecting the divorce case, refused to be sworn. He

then moved that Mr. Lount was guilty of a breach of the privileges of the House, and that he be taken into custody by the Gentleman Usher under warrant of the Speaker.

Hon. Mr. LETELLIER DE ST. JUST objected to the manner in which case had been presented to the House, inasmuch as the petition and bill had been introduced by a member of the Government, who was also Chairman of the Committee which was acting as a judicial tribunal. He also objected to having case again brought up after it had been more than once dealt with by the Senate.

Hon. Mr. CHRISTIE took similar ground, referring to Todd's Parliamentary Practice, Vol. 2.

Hon. Mr. OJELL took a different view, and urged that such an objection ought to have been made previously, but in any case that was not the proper stage at which to bring up such a point.

Hon. Mr. WILMOT exonerated the chairman from having in any way whatever attempted to influence the Committee.

Hon. Mr. MACPHERSON said the House was entirely deviating from the actual question under consideration—the assertion of the privileges of the Senate.

Hon. Mr. LETELLIER DE ST. JUST did not intend to say that the least undue influence was used by the Chairman.

Hon. Mr. CAMPBELL perfectly understood that.

Hon. Mr. LETELLIER DE ST. JUST acknowledged the ability of the Postmaster General to act as chairman, but he wished to establish a principle in accordance with the usages of the House of Lords. He hoped the hon. gentleman would withdraw from the Committee.

Hon. Messrs. WARK and BOTSFORD said it would now be very inconvenient to alter personnel of Committee, though it might be well to establish a principle for future guidance as soon as a similar case arose hereafter.

Question was postponed in order to allow the minutes to be laid before the House, giving reason why witnesses refused to be sworn.

Hon. Mr. CAMPBELL said that he had been guided solely by the desire to assist in establishing precedents for the future in connection with a matter new to the House. He only assumed such a position temporarily until the House came to a decision as to the proper course to be pursued in relation to such questions hereafter. It was, however, purely chimerical to argue that he could exercise any undue influence on the Committee. He had

simply charged himself with it as a matter of duty and in the interests of the House for the reasons given.

INTERCOLONIAL RAILWAY.

Hon. Mr. BOTSFORD asked why the Intercolonial Railway, between Amherst and Truro, was not opened for traffic at the time stated by the Government it would be, and when it is probable such portion of the Railway will be opened?

Hon. Mr. CAMPBELL replied that he was informed that the road will be probably opened early in July or August.

Hon. Mr. DICKEY said that the Postmaster General was a month earlier than the Commissioners who said September.

Hon. Mr. CAMPBELL—Then we had better say September. (Laughter.)

Hon. Mr. McLELAN alluded to the heavy bridging, tunnelling, and grading on the line and explained that the road was rapidly drawing to completion, as it was nearly ready for the track.

Hon. Mr. MACFARLANE was glad to hear hopes held out that the line would be soon opened.

Hon. Mr. DICKEY said the general expectation of the public had not been satisfied but the difficulty arose from the location of the route with which the Commissioners had nothing to do. He found by the report of the Commissioners that all the money had been paid to contractors six weeks before for work which was not nearly completed.

INDEMNITY, &c.

Hon. Mr. CAMPBELL moved the following resolution:

That the Clerk be instructed to lay before the Senate, at the commencement of every session, a statement of the indemnity and mileage paid to Senators for the last session; and until further orders, to deliver to the Chairman of the Committee of the House of Commons charged with the audit of the Treasury accounts a copy of any such statement, whenever he may deem it necessary to apply for the same.—Carried.

QUARANTINE.

On motion of Hon. Mr. CAMPBELL the Quarantine Bill was read a third time. An amendment having been made by the Government with the view of preventing the introduction of disease by peltries, furs, &c., as suggested by one of the members from Manitoba on a previous occasion.

RAILWAY BILL.

On motion of Hon. Mr. FERRIER, the Grand Trunk Railway and International Bridge Agreement Bill was read a third time.

DOMINION NOTES.

The House then went into Committee

on the Dominion Notes Bill.—Hon. Mr. SHAW in the Chair.

Hon. Mr. CAMPBELL said that he had expressed his opinion on the previous day when some hon. gentlemen had argued in favor of a 40 per cent. reserve, that the Finance Minister was not wedded particularly to the 20 per cent. He had said so because he had believed from the Finance Minister's remarks elsewhere that he did not intend to keep only 20 per cent. but that on the contrary he would always keep a larger sum. On consultation with the Finance Minister, he had come to the conclusion that 35 per cent. would be a fair sum to have, and accordingly he would move to alter the bill to that effect. Of course, the sum in reserve would always, for the reasons he had given on a previous day, amount to very little below fifty per cent. It should be remembered that the larger notes issued by the Banks were never issued except for gold, and the House was only called upon to legislate with reference to the small notes; and as respects the limitation of the issue, he did not think it necessary, for the Government would only issue the notes through the banks and could not go beyond the requirements of the country.

Hon. Mr. MACPHERSON expressed the gratification he felt at the announcement of the Postmaster-General.

Hon. Mr. SANBORN said that it had been quite manifest to those engaged in business throughout the country that there had been a great scarcity of notes of a small denomination. The amendment, however, now proposed, seemed to him to be rather in the interest of the banks than in that of the public; for he did not see that there was to be any security, that the smaller notes would be put into circulation.

Hon. Mr. TESSIER did not consider that the amendment was an improvement, so far as the original intention of the Bill was concerned. The \$9,000,000 provided for originally would have been quite sufficient for general business if the notes had been circulated, but the banks had kept them locked up because they wished to give circulation to their own notes of four dollars and upwards. The object of the present Bill was to remedy this state of things, but he did not believe it would be accomplished to the extent anticipated. If the Finance Minister had been allowed to deposit a certain amount of these notes with the different banks, for which he was to receive no interest, then the banks would find it to their profit to circulate them. On the other hand, if Government took away from the banks the interest

they had in circulating those notes you defeated the object of the Bill. The double liability of the bank, was a better security than the additional 15 per cent. imposed by the amendment

Hon. Mr. WARK made some remarks but he was only imperfectly heard.

Hon. Mr. BENSON said that he had always been opposed to the principle of the Bill—the issue of Dominion notes. He had every confidence in the present Finance Minister, but we should guard against the future in legislating for the monetary concerns of the country. He did not think the bill was much improved, and regretted the issue of notes was not limited.

Hon. Mr. NORTHUP reiterated the opinion that the measure would be beneficial to public of Nova Scotia, inasmuch as a large amount of notes would certainly go into circulation.

Hon. Mr. CAMPBELL said that certainly no one could accuse the present Finance Minister of a desire of favoring Banking institutions. He was sure that smaller notes would get into circulation, and if any difficulty should arise on account of the Banks not lending their assistance—he did not apprehend that—then the Government would take steps to remedy it.

Hon. Mr. SIMPSON believed that the Government had acted prudently in meeting the views of hon. gentlemen and would be glad were they also to limit the issue of the notes.

After a few remarks from Hon. Mr. WILMOT,

The Bill was passed in Committee.

INSOLVENCY LAWS.

The next order of the day, the Bill to repeal the Insolvency Laws (from the House of Commons) was then taken up.

Hon. Mr. SANBORN said that he deemed it advisable to make a few observations in moving the second reading of a Bill which had created a good deal of discussion throughout the country. The Insolvency laws, as they existed in the Dominion of Canada, had been in force for three years; and substantially they were in operation since 1864 in the united Province of Canada. It was urged that a law regulating the affairs between debtor and creditor was necessary for the interests of trade and commerce, and that it should be of a permanent character. That was, however, a subject of debate; no laws in England or the United States relative to bankruptcy had been of a permanent character, but liable to change. At present the Insolvency laws of England,

of the United States, and of France, were all widely different from one another; they were based upon different principles and started from a different stand point. The proposition was laid down in England that the object of a bankrupt law is this, that you should as cheaply and as fairly as practicable divide the property of the Insolvent among his creditors; but there was no recognition whatever of any rights on the part of the debtor. In former days we had imprisonment for debt in Canada; it also existed in England and the United States; but it had long since been repealed and was now regarded as a relic of barbarism. Since the removal of that law from the Statute Book, a very different view has been taken with regard to the treatment which should be meted out to those who are unfortunate in business. In the United States they laid down these principles—that the intent of a Bankruptcy law is to divide as fairly and as speedily as possible the property of an Insolvent among his creditors, and provide at the same time for the relief of the Insolvent. Our law went further than either in England or the United States, its object, above all others, seemed to be to protect the Insolvent. The causes that led to its adoption was the state of the country at the time, on account of a panic which had left many persons embarrassed; and it became necessary to enact a law to afford relief to such individuals, and enable them to start anew. The law was really intended to deal with a temporary state of things; it relieved the parties in question, and he was not prepared to say that it was not advisable to legislate for them; but it should be remembered that the law was intended for an exceptional order of circumstances and ought not to bear general application, when those circumstances no longer existed. It had been urged in the press and elsewhere that the hostility to the law emanated chiefly from that much abused class—the legal profession; but so far as it was concerned, it was really divided on the question. It need not be urged that any measure which led to complications and disputes, was really an advantage to the profession. Now the Insolvency law was really of a hybrid character—not calculated to be permanent, not to be incorporated into our jurisprudence. It has been fraught with results to the whole country injurious in the extreme. He denied that the principal opposition came from the rural districts; for he found that the gentlemen who came from the cities, were as much divided in opinion as members of the legal pro-

fession. He found that the mercantile community in the cities was divided; for instance, he had before him a petition from the largest city of the Dominion, containing seventy names of wholesale dealers in favor of the repeal of the law. He knew from personal intercourse with Montreal merchants that many of them are decidedly opposed to the statute—that they have as hearty an aversion to it as any class of persons in the country. He was aware that some Boards of Trade had given an opinion in favor of the continuance of the law, subject to amendment, but on looking into the matter he saw that the Dominion Board of Trade were actually divided on the question. The majority favored the law when amended, while a minority of 13 voted for its repeal. He maintained that the rural districts had a right to speak on a question of this kind, for they were the feeders of our commerce. The retail business stimulated our trade, and acted a very important part in working out the prosperity of the country. The retailers were the small rills running in the rivers, which flow steadily onward and make up the great ocean of commerce. He referred to the evils arising from certain unscrupulous traders who manage somehow to get goods on credit, and come into the rural districts to compete with legitimate trade. They would sell their goods at a price no honest trader could put theirs at; and after a few years, when the wholesale dealer was becoming impatient for payment, they would say:—"If you do not press me, I will pay you, but otherwise I must go into bankruptcy." The merchant at last would be compelled to force payment, would enter judgment, and the whole matter would get into the hands of the official assignees, and no end of expense would follow, while the goods would be sold at auction, again to the injury of legitimate traders. The wholesale merchant certainly gained no benefit from such a state of things; on the contrary, he would get perhaps 10s. to the pound, or 5s, but more generally nothing. The first object of legislation should be to promote the legitimate trade of the country, and in that way advance the welfare of society at large.

The hon. gentleman here went on to refer to the experience of England with respect to Bankrupt Laws, and the frauds that arose under the old system. The present law, he said, was enacted in 1869, and did not recognize the principle of official assignment; but the creditor could put the insolvent into bankruptcy under certain circumstances. The bankrupt could

not get his discharge unless he paid 10s. to the pound, and that discharge need not necessarily be final; and in this connection he cited a number of facts to illustrate the working of the present law in England. Now, he continued, it was urged that if we swept away the regulations now in force in this country we would throw open the door to fraud, and disorganize trade, and that it was more expedient to amend the law; but to that argument he must reply at once that the law was not susceptible to amendment. The experience of the past, here and in England, went to show that it is an exceedingly difficult thing to deal with the question, and that it is dubious whether a permanent bankruptcy law is desirable. So far as the present Act was concerned, it was justly complained that it was not under proper *surveillance*, that it did not come within the jurisdiction of the courts in such a way as to be carried out satisfactorily. The fact was, as he stated previously, that it was a hybrid system; a large portion of the law was accomplished outside of the courts, in a very unsatisfactory way. One of the most prominent Assignees of the city of Montreal, was now bound over to answer to a charge of forgery; his apology is that he has not done anything more than the other assignees have been accustomed to do, and that he has been acting in the interests of the public. Under such circumstances it was easily seen that there was no security for the public in the system, inasmuch as it was not under the supervision of a properly qualified tribunal but was carried out by persons of no responsibility. The law was not adapted to the circumstances of Quebec any more than it appeared to be suited to the whole Dominion. Inasmuch as it could not be made to work satisfactorily as a uniform law, it was best to sweep it off the statute book altogether. Then, if there seemed to be a necessity for it, we could endeavor to mature a more satisfactory system for the arrangement of matters between debtors and creditor, so that justice should to be done to all parties—a system which would be in harmony with the general jurisprudence of the provinces, and in accordance with the commercial interests of the whole Dominion.

On motion of Hon. Mr. SANBORN, seconded by Hon. Mr. LETELLIER DE ST. JUST, it was

Ordered,—That further debate on the said motion be postponed until to-morrow.

A message was brought from the House of Commons with the following Bills:

An Act to amend the Act respecting the Statutes of Canada.

An Act to incorporate the Canadian Railway Equipment Company.

An Act to amend the Act respecting the Civil Service of Canada.

An Act respecting the Public Debt, and the raising of Loans authorized by Parliament.

The House then adjourned.

WEDNESDAY, May 22.

The SPEAKER took the Chair at one p.m.

BREACH OF PRIVILEGES.

After routine,

Hon. Mr. CAMPBELL moved that the Speaker issue his warrant for the arrest of W. Lount, the witness, who had refused to be examined before the Divorce Committee, and thereby committed a breach of the privileges of the House. Carried.

DOMINION NOTES.

On motion of Hon. Mr. CAMPBELL, the Dominion Notes Bill was read a third time and passed.

INSOLVENCY LAWS.

Hon. Mr. WARK read the following motion, of which he had given notice on a previous day:

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to appoint a Commission of competent persons, whose duty it shall be under the direction of the Minister of Justice, to inquire into the operation of the Insolvent Act, and recommend such amendments as may appear necessary; the same to be embodied in a Bill to be submitted to Parliament at its next Session.

The hon. gentleman gave a brief review of the history of the Insolvency Laws, in the Province of New Brunswick. He argued that it was the wisest policy, not to repeal a law because it did not work altogether well, but to consider how it might be amended so as to promote the public interests. He found that the public opinion of the country was divided on the question, that the repealing Bill had only passed by a very narrow majority in the Commons; and under those circumstances it was not wise to repeal it altogether. The result would only lead to a state of things far worse than could possibly arise under the law. He did not wish to

see any creditor in a position to harrass and crush a debtor who was acting honestly. When a man failed honestly the law should step in and distribute his property among his creditors, and then he should be allowed to take a fresh start.

Hon. Mr. SANBORN arose to a point of order. An address was not permissible with reference to the subject matter of a bill that was pending before the House.

Hon. Mr. WARK consented to allow his motion to stand.

The order of the day, the second reading of the bill to repeal the Insolvency Laws, was then taken up.

Hon. Mr. SANBORN went on to say that the responsibility which rested upon the House was of no little moment, and ought to be exercised. The House was called upon to consider a question on which there had been given during two sessions an expression of the sentiments of a majority of those who represent more directly the people of the Dominion. In the provinces of Quebec and Ontario the law had been in force for eight years, and the vote which was given elsewhere on the question may fairly be considered to illustrate the feelings of the majority of the people of those provinces. His hon. friend who had just resumed his seat had stated that he had been at the birth and death of three bankruptcy laws in New Brunswick; a very significant fact inasmuch as it showed that in his province, as elsewhere, such laws are of a temporary nature and are simply created in the first instance for the purpose of doing away with exceptional evils which grow upon society. He had been surprised to hear the hon. gentleman, who was generally so accurate, state that our Insolvency Laws were so perfect that they had been adopted word by word by the United States. It was hardly probable that the law could be adopted word for word inasmuch as there were certain provisions in it which could not be very well adapted to the United States. The Act of 1841 was enforced in the United States, and that was long prior to the enactment of our law. He was not prepared to say what amendments had been made to that law, but at all events it recognized the principle of voluntary assignment—it was incorporated into their system of judicature—all the bankruptcy proceedings were conducted in the ordinary courts of justice under the checks and guarantees which the courts are calculated to give. With reference to our law it was nothing of the kind. In the United States a person could not make a voluntary assignment unless he made it under oath that

was to say, he made an inventory of his assets and liabilities under oath. Under our law any man who was a tradesman—and it required very little to constitute that; if he ran a water cart, it would be sufficient—he had only to go before a Notary and make an assignment of his Estate. He had known instances where that Estate had been so insufficient that the Bankrupt had been obliged to get a subscription raised by his friends to enable him to meet the fees he had to pay to the Assignee. With regard to the imperfections of our law he might say the assignment was made without any other formality. True the insolvent was called upon to assist the Assignee in making up the Inventory. He might be examined by the creditors as to whether he has made a full assignment, but that was after he was in bankruptcy. All the proceedings went on with the Assignee and in many instances many of them were extremely informal, and there was no check upon them. The result of the present state of things was shown by the *Gazette*. So numerous were the applications for a discharge in bankruptcy; and in almost all cases those applications were from the Insolvent. The Attorney-General of England said in 1869 that under the old law which was very much like ours, that it had got to be considered necessary for the credit of their families that some persons should go through bankruptcy once in six years. But we had got far in advance of that—many had gone through bankruptcy twice within six years. All this went to show that the influences of such a law must be injurious. What he wished to impress upon the House was that this law was of such a nature that it could not be amended, but we must proceed to the basis and re-enact anew a law if it should be necessary. But he believed that in the present prosperous condition of the country we had no occasion for such a law. With respect to the discrimination to be exercised in giving credit, those who sold had the matter pretty much in their own hands. A great fault now lay with those who forced too many goods upon the market, and he regretted that the system of trading between the large centres and the country had so entirely changed within a few years. Formerly the country traders sought out the goods they wanted, but now they were waited upon by a class of persons known as “commercial travellers” who forced goods on them. Let those who carry on business conduct it on sound commercial principles—then we would be safer than we are now. Every man should meet his obligations, and if

there was any other principle preferable to that he would like to know it. If those who were in trade would take pains to find out whether it was fraud or misfortune or recklessness that had led to the bankruptcy of a particular man, they would soon establish in the community a sentiment which would give rise to a wholesome trade in the country, and prevent nine out of ten cases of Insolvency that at present exist. Now a man entered into business as if there was no great responsibility connected with it—no more than railway contractors appeared to feel. If there were evils that might arise in connection with preferential assignments, let there be a law enacted that would remove them. When the question before the House came up in the other branch, last session, there was a majority of 31 from Ontario and Quebec in favor of repeal. This session, on the final vote on this question, the present Bill was supported by the large majority of 36 from Ontario and Quebec. It was true the Maritime representatives were, for the most part, opposed to the Bill, but nevertheless it had passed successfully. He read from a newspaper an advertisement of a trader who announced that he had commenced business again, "having undergone repairs, legally and morally,"—showing how callous people became under the existing system of bankruptcy—considering it rather a matter for amusement. He also read the conclusion of the memorial of Montreal merchants, who declare that the law is "injurious to the interests of the country generally," that it "is so complicated by amendments from time to time that further amendment hereafter will only tend to further embarrassment," and that it was better to enact a new law "so that settlements may be arrived at without the intervention of Official Assignee or third party." There was, he continued, another petition from Montreal, purporting to be signed by 180; but he had received two letters from two gentlemen who had signed it, declaring that they had not understood its nature. One of them stated that he had been induced to sign it by the Official Assignee by the statement that it was in favor of the amendment of the law. He also read another letter to show the evils that arise from the existing law. In conclusion, he apologized to the House for having trespassed so long on its attention, but he had been opposed to the law in 1869, and now that he had some experience of its operations he felt he was perfectly justified in his opposition. He opposed it because he believed it was sanctioning and perpetuating a

system of commercial immorality throughout the country, and that the only remedy now was to repeal it altogether. Then the Government could take the matter into consideration between this and next session, and come down with a measure which would meet the difficulties of the case and be as permanent as any such law ought to be.

Hon. Dr. CARRALL said that he rose with a feeling of much embarrassment to address the House for the first time, especially as he felt compelled to assume a position entirely antagonistic to a gentleman for whose legal acumen and argumentative power he felt the highest respect. He need not tell the House that there was a time in the history of the world—not a very remote time; when a condition of impoverishment was one of obloquy—when imprisonment for debt was in vogue and the word "bankrupt" was synonymous with the words rascal and rogue—or to quote the more expressive language of his hon. friend—with "commercial immorality." It must be remembered that there was formerly considerable difference between the proper applications of the terms "bankruptcy" and "insolvency." Insolvency covered a wider range—bankruptcy only extended to merchants and traders; but now they might be considered synonymous. His hon. friend had quoted from Lord Eldon a statement to show the former experience of things in England, and also referred to the experience of the United States. With respect to the latter country he found that first they borrowed the bankruptcy law of England and put it into operation for a limited term of five years; but the law was not continued but suffered to go by default. In 1841 the United States, in their wisdom, found it necessary to re-enact a new bankruptcy law and that survived a few years. In 1867, the United States still felt compelled to pass a general bankruptcy law for the United States. So it happened that the experience of the great Anglo-Saxon family had been in the direction of enacting laws for the regulation of bankruptcy; and in face of facts like those it was idle for his hon. friend to say, and endeavour to fortify himself by quotations from Lord Eldon to try and prove that there was no necessity for such enactments. When England herself, the standard bearer in every progressive movement, had enforced a bankruptcy law,—when the United States found it advisable to do the same, the hon. gentleman would erase all laws from the Canadian Statute Book and in that way go contrary to the experience of the wisest com-

mercial nations of the world. He (Dr. C.) believed that the principal opponents of the law were members of the legal fraternity, of which his hon. friend was so distinguished an ornament. He did not think, however, that the agricultural interests of which he was as strong an advocate as any one in the House, approved of the measure that was now under consideration. His hon. friend, when referring to the votes on the question elsewhere, had kept carefully out of sight the fact that there had been only a majority of three altogether on the division—in fact, it was a mere snap vote. He did not wish to go back to the condition of things that existed before we had a bankruptcy law in this country—when people who were disposed to act honestly and fairly, had been actually driven across the border on account of the harshness of their creditors. He did not wish to see any system in operation, calculated to harass and oppress any upright man who had been simply unfortunate in business. It was said that rogues rushed in and took advantage of the present law, but would things be any better, according to his own showing, if it were swept off the statute book altogether. Those who are engaged in business would have the same interest as ever in disposing of their goods, and would be as easily deceived as now by unscrupulous traders. He felt sure that the House would pay no heed to the sophistry and appeals of his hon. friend, and would give a vote in favor of the necessity of having at all times an equitable means of enabling men to carry on legitimate business, and to restore themselves when they have honestly failed.

Hon. Mr. SMITH said that he must endorse a very large portion of the remarks that had fallen from the hon. mover of the bill with respect to the injurious effects of the present law. He was in favor of a bankruptcy law if we can obtain one that will not encourage rascality among the commercial community. The law, as it now stood, had certainly that tendency. There was a time when on account of the failure of the crops and over importation it was necessary for a number of unfortunate men to get a bankruptcy law; but that time had passed. The law was intended for an exceptional order of circumstances which no longer existed, and any who should happen to get into difficulties would be enabled to obtain relief even if the measure is repealed. We were now living in a very prosperous state, we had a large amount of money at our disposal, and he believed that with

the assistance of Providence the Dominion had a long and prosperous career before it. When we had on the statute book a law which enabled men to take advantage of their position, and become dishonest, he felt it his duty to vote for its repeal. He showed how a dishonest man could come into a village and enter into competition with the merchant who had been there for many years, carrying on a safe and legitimate business, but who would soon find himself unable to compete with one who started with borrowed capital which he would soon refund, and cared nothing for consequences. That trader would eventually get into difficulties, offer his creditors 20 cents on the dollar; and if that was refused at the outset, he would threaten them with an assignment, when probably they would receive nothing. Of course, the creditors would have to yield, and a few days later he would come out with a flaming advertisement headed "Bankrupt Stock for Sale at 50 per cent. below first cost." The natural consequence would be that the honest trader would find himself undersold, and probably in the end irretrievably embarrassed by circumstances arising from an iniquitous law. The speculators who went into business for the purpose of remaining only a few months were the class of persons really protected by the law. It was understood throughout Ontario that the bankruptcy law will die out next year, and he was quite positive that there would be an immense number of unscrupulous dealers in the interval, who would go into bankruptcy; and he intended keeping a list of such persons with the view of showing the House next session—in case it was not now repealed—the effects of a measure which encouraged rash, dishonest speculation. For these and other reasons he would support the Bill now before the House.

Hon. Mr. WILMOT did not believe that any man should be oppressed when he was unfortunate in business, and that would in his opinion be the effect of a system which did not give him an opportunity of dividing his property equitably and getting clear of his liabilities and commencing anew. His hon. friends had referred to the prosperous condition of the country, but suppose a monetary crisis should occur in London on account of a drain of gold to pay the French debt, money would go up everywhere and we would find ourselves very much embarrassed in this country. He had known the price of lumber and ships go down to ruinously low rates in consequence of a panic suddenly arising in the British

money market, and the people of New Brunswick were suddenly large losers at the very moment they thought they were in a prosperous condition. In legislating for the country, Parliament should guard against contingencies and not be carried away by expectations that might prove delusive. If Great Britain had found it necessary to keep a bankruptcy law on her statute book—if the United States had thought it advisable to do the same, the Dominion of Canada certainly should have some means by which the mercantile community can make arrangements for the settlement of bankrupt affairs. The Board of Trade of St. John had come to Parliament with a petition asking that the law be not repealed, and he believed it would be prejudicial to the public interest to take the steps they were now asked to pursue.

Hon. Mr. SMITH again urged the repeal of the law, and said that the Official Assignees were a class of persons very expensive to keep up. He would trust a bankrupt stock in the hands of the Sheriff and a lawyer, rather than to the Assignees.

Hon. Mr. MACFARLANE was anxious to do justice to the honest trader, but he was not convinced by any arguments yet used by the advocates of the Bill that it would have such a tendency. He believed that viewed in all its aspects it was better to let the law remain on the statute book than repeal it altogether, and allow our business affairs to become embarrassed in consequence of the want of legal regulations. The law had been only in operation for three years, and he did not wish to see it strangled before the time of its legal expiration—a year hence. It appeared to him that the country has already one of the best safeguards of commercial morality, though he was aware many persons did not approve of it; he referred to that system by which the standing of every business man in the community could be ascertained in a moment. He did not believe the law was by any means perfect, but it was better to let it remain for a few months longer than go back to a state of uncertainty and complications, and for those reasons he would move that the Bill be read that day three months.

Hon. Mr. TESSIER followed and spoke with much emphasis in French against the adoption of the Bill which had been moved by his hon. friend from the Wellington Division, and which he believed would tend to injurious results. He combated the arguments of the mover, and concluded the arguments of the mover, and concluded by seconding the motion

of the hon. member who had just sat down.

The debate was then adjourned.

BILLS FROM THE COMMONS.

A message was brought from the House of Commons by their clerk, with Bills intituled: An Act to make provision for the continuation and extension of the Geological survey of Canada, and the Geological Survey.

An Act to indemnify the members of the Executive Government and others, for the unavoidable expenditure of Public money, without Parliamentary grant, occasioned by the sending of an expeditionary force to Manitoba, in 1871.

An Act to incorporate the St. Lawrence Bank.

An Act to incorporate the Thunder Bay Silver Mines Telegraph Company.

An Act to incorporate the Mail Printing and Publishing Company (limited.)

An Act relating to the Treaty of Washington, 1871.

An Act to amend the Act relating to Banks and Banking.

An Act to amend the Chapters six and seven of the Statutes of 1871, relating to Savings Banks.

THE TREATY.

The Bill relating to the Treaty of Washington was made the order of the day, for Tuesday next.

The House then adjourned.

THURSDAY, May 23, 1872.

The SPEAKER took the Chair at 3 p.m.

THE INSOLVENCY LAWS.

The House then resumed the adjourned Debate on the Hon. Mr. MACFARLANE'S amendment, to the Hon. Mr. SANBORN'S motion, for the second reading of Insolvency Laws repeal Bill, viz: to leave out "now" and insert "this day three months."

Hon. Mr. CAMPBELL read a telegram from Montreal stating that a deputation was on its way on behalf of the Board of Trade of that city, to ask the Senate to reject the Bill for the repeal of the Insolvency Laws; and adding that the Toronto Board of Trade concurred in the opinion that it was advisable to continue the present law until amended.

Hon. Mr. LETELLIER DE ST. JUST replied at some length to the arguments used by Hon. Mr. Tessier against the Bill for repealing the law. He acknowledged that there were difficulties in dealing

with the best course to pursue, but he was nevertheless of the belief that the sentiment of the great majority of the people was in favor of striking off the statute book a law which worked so unequally and so injuriously to the commercial interests of the Dominion. He alluded to the tendency it had to encourage commercial immorality among the community, and to benefit the debtor at the expense of his creditors—a principle not encouraged in any bankrupt system anywhere. He wished to see a check imposed on dishonest bankruptcy, instead of allowing it to be actually fostered by an imperfect law. The country was now in a very prosperous state and could dispense with a law which only stimulated a large class of reckless speculators and dishonest traders. He did not deny that there was a certain condition of things when a bankruptcy law might be necessary; for instance when a monetary crisis arose and persons found themselves suddenly embarrassed and unable to go on with their business; but there was no appearance now of such a contingency, and he thought it was the wisest policy to repeal the law, and take steps to form a new one hereafter in case it should be deemed necessary to do so in the public interests.

Hon. Mr. DICKEY said that he had noticed that the debate had evolved some curious features. Not one gentleman who had spoken in opposition to the Bill had ventured to say one word in favour of the Insolvency Law which the House was asked to repeal. All were in favour of a bankrupt law of some sort, but no one attempted to defend the provisions of the one now in operation. In the facetious speech of his hon. friend from British Columbia, who had rather tried to amuse than convince the House, he had stated that the Bill was promoted and supported by lawyers. He (Mr. Dickey) believed that members of that profession were as fully entitled to hold and express their opinions on the question as the members of any other learned profession. When hon. members discussed a question in the House they did not do so as lawyers simply, though they would naturally give the benefit of their legal and constitutional lore. It could be said with truth at the present moment that all the great interests of the country were represented in the Senate—Banking, Commerce, Agriculture; and after the humorous speech of his hon. friend opposite, he must add Medicine. He might be excused for saying that the Senate was a body, as the debate had fully shown, as fully capable of discussing a measure like the one under consideration

as any other deliberative assembly in any part of the world. It had struck him as a curious anomaly, that whilst the Maritime Provinces had complained that the law had been forced upon them by Ontario and Quebec, those two great provinces were now asking for its repeal, whilst New Brunswick and Nova Scotia supported it. He remembered the time when the law was considered one of the acts of tyranny which his unfortunate Province was obliged to bear as one of the consequences of union. Now, how was he to account for the change of opinion in Ontario and Quebec within three short years. He considered he was warranted in referring to the proceedings in 1869, when every amendment was rejected by large majorities, and deducing the conclusion that the popular objections to the measure must have arisen from its imperfections. (Hear, hear.) It must be admitted that great difficulty had always been found in dealing with the question. It was only necessary to refer to the history of legislation on the subject to see that there is an inherent difficulty connected with legislation on the question. The very number of bills that had been enacted, amended and repealed since its first legislation in England was a proof of the perplexity and embarrassment that met all those who had endeavoured to frame a satisfactory law. The regulations that had been made only served to evade the difficulties instead of grappling with them boldly and plainly. His hon. friend opposite (Hon. Mr. Wilmot) had said with reference to the old law of New Brunswick that so unjust were its provisions that he knew a case of an old man who had remained in jail at St. John for the whole of his life. He was bound to say that there must be some mistake about that matter; the person in question could not have given an honest statement of his affairs. He contended that under the law of New Brunswick, of which he had some professional experience, it was not in the power of any man to keep a debtor in jail when he gave an honest account of his property. They had also an Insolvent law in Nova Scotia under which a man who had been guilty of fraud or dishonesty, might be remanded for a term not exceeding one year; and at the expiration of that period he was entitled to his discharge. They had still the law of imprisonment for debt, but it was a qualified law. The debtor could not be arrested under first process, until it had been shown to the satisfaction of a Judge or Commissioner that he was about to leave the country for the purpose of evad-

ing his liabilities. He could well understand that in the large commercial centres like Halifax and St. John, there might be particular reasons why the merchants and bankers might desire to retain the law; but he was speaking generally of the country districts, and was bound to say that its working has not been satisfactory so far as it had come within his own knowledge either in the mode of its administration or the effect of its operation. He knew a case of a railway contractor who owed a large sum to a great many persons—debts varying from one hundred dollars upwards—and by some mysterious process, some one, not one of the creditors in question, put him into the Bankruptcy Court in Cumberland County; and the result was an attachment which swept away the whole of his property and those debts remain unpaid up to the present time. He might be told that a meeting of the creditors could be called, but had they done so they would in all probability have been met by an overwhelming number of claimants, hundreds of miles distant, who would out-vote them. Practically it was in the power of any person and his friends to prevent those poor men from taking any steps to obtain payment for their honest claims. He was very much afraid that such a law could never carry out the real object which it was intended to accomplish—an equal division among all the creditors. It had passed into a proverb in the United States that a man can never get rich until he has failed several times—such was the effect of the present law in practice. It had been said that one of the guiding principles of a bankruptcy law should be to enable an unfortunate debtor to get relieved. He believed the present law could only lead to rash speculation, to a species of gambling. The debtor was enabled to say to his creditor “Heads I win, tails you lose,” because if he succeeded he pocketed the gains; if he lost he went scot free. It did not accomplish the object of a proper division of the property; it served rather to enable the debtor to get relieved of his debts in the easiest way possible with very little reference to the interests of the creditor. The bill before the House proposed to repeal the existing laws, but it went still further, it prevented the revival of those laws which were heretofore in force in the different provinces. If it were to pass it would leave Nova Scotia without any Insolvency Law at all as regards traders. Whilst there was imprisonment for debt in that province, it would be in the power of an exacting creditor to put a man into jail and keep him there

should the law pass in its present form. Therefore he was not willing to see the bill pass without amendment; he would consent to its second reading, and then he would propose in committee either that Nova Scotia should be exempt, or that the laws repealed by the Bankrupt Law of 1869 shall be revived. Although the law would expire in the course of fifteen months, yet it was best to repeal it at a time when probably more people than ever before would hasten to avail themselves of its provisions. When it died a natural death it would certainly be “unwept, unhonored and unused.”

Hon. Mr. McCLELLAN said that he had no very strong opinions on the subject one way or the other. He found, however, that petitions had been sent from Montreal, Toronto, Quebec, St. John and Halifax—the great commercial centres of the Dominion—against any interference with the law now on the statute book. The hon. member for Cumberland had stated that he was not accustomed to practise in the Bankruptcy Court, and certainly had he greater experience of the working of the law he would hardly have said so much against it. He (Mr. McL.) had some experience of the statute, and, indeed, had lost a considerable sum of money by a person who had availed himself of its provisions, but still he had felt it was an honourable discharge and he ought not to oppose it; for he was of the opinion that any man who pursued his business in a proper way, and failed through misfortune, ought not to be kept under the control of creditors who may be very exacting and harsh, if not rapacious. Under all the circumstances he believed a bankruptcy law was necessary to a country engaged in commerce. The only difficulty had been to frame such a law as will meet the interests and necessities of the country. With respect to New Brunswick, he mentioned that the laws formerly passed there had been enacted for the most part to meet cases of great individual hardship, and they were hardly intended to have a general application. One objection taken to the Insolvency Act was the large expense it entailed—that the charges were so really so excessive that the property was largely depreciated before the creditors got anything, and that, on the whole, the Assignees were the parties chiefly benefitted; but that had not been his experience. It appeared to him that the costs attending a bankruptcy case are a fair subject for examination by the judge who gives the final discharge; and if they were excessive there was a mode of reducing

them to a proper limit. Any result, however, was better than the accumulation of law suits that would probably arise were we to go back to the old state of things. He felt he would be hardly doing his duty were he to give his vote in favor of repealing the law, at the present time. As respects the remark made by the hon. member for the Wellington Division, with regard to preferential assignments, he must say that it appeared strange to him that a stipulation bearing on that subject had not been incorporated into our law; and if the hon. gentleman would set to work to prepare something which would guard the creditors from his difficulty, he would find a large support. In fact, that hon. member would probably find himself, before he was done, re-enacting an Insolvency Law or something which would have the effect of conferring those benefits on the Commercial community, which there was little doubt the present enactment failed to confer.

Hon Mr. NORTHUP said that he thought it his duty as the only representative of the city of Halifax in the Senate, to make a few observations with reference to the measure under consideration. He must confess at the outset that they had received the measure in Nova Scotia under protest. One of the strongest arguments now in its favor was the fact that all the leading merchants, who made up the Chamber of Commerce of Halifax, had unanimously asked that the Act should not be repealed. As respects the rural districts of the province he had not heard any valid objections to its continuance on the statute book. He was ready to admit that it might be amended in several essential particulars—for instance, that no person should be allowed to put himself into insolvency. The old law of Nova Scotia was in many respects a harsh one—a person doing business could buy £500 of property, and a few days afterwards could hand it over to some friend, and the rest of the creditors could not get a cent. He did not wish to go back to the old condition of things which was injurious to the best interests of the whole commercial community. Those who were engaged in large business had to a great extent the power of preventing rash speculation by exercising more discrimination with respect to those who wish to buy from them. In his opinion it would not be wise to wait until a crisis was anticipated, to pass a Bankruptcy Law; it would only tend to hasten the very crisis which it was intended to meet. He was quite willing to benefit the honest debtor, and give him every oppor-

tunity of restoring his fortunes. He had known not a few cases of men who had failed and afterwards became benefactors of their country. Holding these opinions he must vote against the Bill which had been brought so ably to the consideration of the Senate by the hon. gentleman opposite. He did not believe in breaking down the law before we had something better to put in its place.

Hon. Mr. KAULBACK said that he had no hesitation whatever in saying that the present Insolvency Act did not tend to the benefit of the creditor as it ought to be the case. Its whole object was to give relief to Insolvents and to facilitate their release from their obligations. From his own knowledge as a professional man he considered the law has a tendency to demoralize honest traders and work to the advantage of those who are dishonest. He considered it changed the proper relations that should exist between debtor and creditor, giving the former a very decided advantage over the latter. Numerous law suits had arisen, he could say from experience, from the results of a measure which was so imperfect in its details. The effect of the law was to draw men into bankruptcy and create recklessness in the way of conducting business—in fact demoralize the whole community. The *Gazette* was now full of notices of assignments, and not one of them at the instance of the creditor, for when a man failed the creditor knew it was no use for him to move in the matter. If there was any part of the Dominion more prosperous than another it was the Province of Nova Scotia, and he hoped this law would be repealed and not allowed to continue on the statute book to the injury of the commercial interests and the commercial morality of the country. He believed if the present Bill was allowed to pass, the result would be to bring about the introduction of another law which would remedy existing evils and promote the commercial progress of the Dominion.

Hon. Mr. REESOR said that one reason of the difficulty of legislating on the question was the fact that there was little experience as to the proper mode of dealing with it at the time the present law was enacted. When the law was passed, it occupied the attention of the best legal minds, and subsequently the same legal talent was required to amend it. The fact appeared to be that while the law was very good in theory, it had failed in practice. The general expression from all parts of the country, in his opinion, was in favor of repealing the law. He believed that it was a very diffi-

cult matter to deal with bankrupt laws. In his opinion, the best course was to provide as simple machinery as possible by which the division of the property should be made. The present law had been proved on experience to be inadequate to meet the difficulties, and now the evils were just as great as they were before its enactment. Under those circumstances he was of the opinion that if the House repealed the present law, the country will be prepared to sustain some measure which will be more just and equitable in its operation and conduce to the advantage of the business community.

Hon. Mr. HOLMES hoped that the House would after so lengthy a debate come to some conclusion on the subject. In his opinion, it was better to leave the matter alone, inasmuch as the law died so soon.

The House then divided on Mr. Macfarlane's amendment which was carried. Contents 35; non-contents 24.

The Public Lands Bill was then read a third time and sent to the Commons. A number of bills were also read a second time.

The House then adjourned until Monday evening.

MONDAY, May 27.

The SPEAKER took the chair at eight o'clock.

INTERCOLONIAL R. R.

Hon. Mr. LETELLIER DE ST. JUST asked the Government whether the Intercolonial Railway between River du Loup and the River Metis, will be opened before September next, if not, when?

Hon. Mr. MITCHELL replied that it would not be opened during that month, but probably at an early date after that time.

BAY VERTE CANAL.

Hon. Mr. DICKEY asked whether the Government intend during the present year to take the necessary preliminary steps for inviting tenders for the early construction of a canal to unite the waters of the Bay of Fundy with the Gulf of St. Lawrence?

Hon. Mr. MITCHELL replied that the Government intended asking tenders for the construction of the work as soon as they received necessary authority from Parliament.

BILLS.

Bills respecting Banks and Banking, Savings Banks, St. Lawrence Bank and

Mutual Life Association, were read a second time.

Bills respecting Civil Service, Public Debt, Indemnity in connection with the Fenian invasion of Manitoba, and Geological Survey, were passed in Committee and read a third time.

Bill to naturalize A. P. Dodge was also read a third time and passed.

A large number of Bills were received from the Commons, and ordered for a second reading to-morrow.

The House then adjourned.

TUESDAY, May 28, 1872.

The SPEAKER took the chair at three p.m.

CLASSIFICATION OF MASTERS AND MATES.

Hon. Mr. FERRIER asked whether any and what arrangements have been made by the Government, for opening schools of instruction in relation to the classification of Masters and Mates, the number of candidates which have been examined and passed, stating how many have passed as Masters and how many as Mates, and the place where these examinations were held? Also, the number of light houses and fog whistles, established by the Department of Marine and Fisheries? In making the enquiry, the hon. gentleman took occasion to refer to the efficiency with which the Hon. Minister of Marine conducted the affairs of his department.

Hon. Mr. MITCHELL thanked the hon. gentleman for the expressions of approval which he had given to the management of the Department, and went on to say that it was a great satisfaction to know that the commercial community of Canada appreciated the efforts of the Government to give every facility for the prosecution of trade and commerce. With respect to the information asked for, he stated that there were schools now in operation at Quebec and St. John, and one would be immediately opened at Halifax—the gentlemen in charge would receive \$300. The number of candidates examined and passed was 109, since 1st of July last. Eighty-nine had passed as masters and twenty as mates. He explained that there were two classes—one of competency and the other of service; any person who was a master or mate prior to the passage of the Act could get a simple certificate of competency, but these certificates did not give the same rights which the certificates of the other class gave them. These certificates were recognized in the same way as the highest class of British certificates.

Since 1867 the number of light houses constructed or under contract was 82; of fog whistles 10.

PILOTS.

On motion of Hon. Mr. FERRIER, the House agreed 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 the House, a copy of any correspondence which has taken place between the Department of Marine and Fisheries and the Imperial Board of Trade, in London, relative to the relaxation of the Rules and Regulations relating to the granting of Masters certificates of competency to Pilots of the Lower St. Lawrence.

THE TREATY OF WASHINGTON.

Hon. Mr. CAMPBELL said—The bill which is now submitted for the consideration of the House is for the purpose of enacting those laws in Canada which are necessary to give effect to those portions of the Treaty of Washington that affect the Dominion. The provisions of the bill are of a very simple character. They provide for the suspension of all acts which prevent the inhabitants of the United States from taking fish on the coasts of the Provinces of Quebec, New Brunswick, and Nova Scotia; for the free importation of fish oil and fish of all kinds except fish of the inland lands into Canada; for the transmission of goods, wares and merchandise from one part of Canada to another, while in transit to the United States, under such rules as the Governor in Council may prescribe; also, for the admission of United States vessels into the advantages of the Canadian coasting trade provided the articles to be carried pass over a certain portion of the United States by land. The whole bill is, by the last clause, to come into force only after the Proclamation of His Excellency the Governor General to that effect. It is impossible to approach the discussion of the Washington Treaty without being alive to the consciousness that everything which relates to it has been discussed at great length and with great ability, almost if not quite in the hearing of every gentleman present. Undoubtedly by reason of these discussions, very much interest has been taken from this subject; but nevertheless it is my duty on behalf of the Government in submitting the bill to the consideration of this branch of the Legislature to give an outline of the circumstances which have led to the Treaty and the legislation which is sought to be

passed by this House. Hon. gentlemen are all aware that on the termination of Reciprocity it became the policy and duty of the Government to go back to the exclusive rights of fishery which Canadians enjoyed within three miles of their coast. It was at the time doubtful whether it was advisable to do that absolutely or whether in order to avoid disputes we should limit the absolute use of our undoubted rights with respect to those fisheries. The counsels which tended in the direction of giving the Americans admission to our waters under some restrictions prevailed, partly on the advice of the Imperial Government and partly through the sense which the Canadian Government felt of the responsibility involved in seeking to press extreme rights. In consequence of these considerations the system of licensing was adopted for two or three years. That system had these two merits, it involved a complete acknowledgment of the right of Canada to the three miles' limit; and secondly, it prevented the danger of collision between the fishermen of the two countries. During the first two years the American fishermen took out licenses very generally. The license fee was small, and the Americans did not attempt to any large extent to evade it. Subsequently we found that the licenses were not asked for and that the American fishermen did come within the three miles' limit of our shores. Considerable feeling was excited among our people by this disregard of our undoubted rights, and it became the duty of the Government to consider what was best to be done. It was desirable that, if possible, we should arrive at some satisfactory decision between ourselves and the United States with respect to the limit of exclusive fishing rights. It was believed that were the whole question submitted to an arbitration, and a decision arrived at on the subject, there would be no difficulty in enforcing by means of our own police schooners, and vessels of the Imperial Government these enactments so far as they were applicable to the fishing rights of Canada within the three miles limits. We approached the British Government with the view of obtaining that end. We thought our object might be attained by referring the question to a commission mutually named by the two countries. The British Government were at that time ready to make representations to the United States on the subject and promised to do so. Before those representations were made other difficulties which existed between the two countries presented themselves to the

Imperial Government, and demanded also consideration at their hands. These new difficulties were those which grew out of the Alabama claims, and had become of Imperial interest, and it so happened after the Canadian Government made their request for the settlement of these fishing rights, a proposition was made for the arrangement of these and other matters between the two countries. Up to this time the Government of Canada had desired simply the settlement of the rights for exclusive fishing. We had also made strong representations as to the losses which had been inflicted upon this country by the Fenian invasions. Those representations had also met with attention at the hands of Her Majesty's Government, and it was also understood that representations would be made to the American Government upon that point. That subject accordingly passed at that time I have mentioned into the consideration of the Imperial authorities, and was included among the matters which they proposed submitting to the Government at Washington. During the negotiations at Washington an effort was made to separate those questions which more immediately affected Canada from those of Imperial interest, but that was found impossible; and then the general result followed of the adoption by the Commissioners of the Treaty, to which this bill gives effect so far as it concerns Canada. It will be seen from the whole course of the proceedings, the Government of Canada had distinct objects in view which they attempted to have settled without reference to other disputes. They attempted to obtain these objects by having a separate decision in the first instance on the limits of exclusive fishing and on the Fenian claims, and secondly on those questions whilst the Joint High Commission was sitting at Washington, by dealing separately with those which immediately affected Canada. I do not understand from anything that has transpired elsewhere, or from the newspapers that up to this stage of the matter any adverse criticism had arisen with reference to the conduct of the Government. After the results of the Treaty became known very serious objections were taken to the course pursued by the Government. These objections were of a three-fold character. In the first place, objections were taken to the inconsistency of the Government as developed in the minutes of Council which were sent to England with respect to the Treaty. Another objection was taken with reference to the direct responsi-

bility of the gentleman who was a member of the Commission and also a member of this Government. The objection was urged that his responsibility was to the people of this country, and that under these circumstances he was not justified in signing the Treaty. The third class of objections was as to the merits of the Treaty. With respect to the objection—regarding the responsibility of Sir John Macdonald—I think that has lost all its interest and need not be discussed inasmuch as the Government of which he is the head has asked both branches of the Legislature to adopt the Treaty which he signed. At present there is no use in discussing what is a merely theoretical question. As respects the charge of inconsistency against the Government, because in the first place we objected to the Treaty in such strong terms, and suggested afterwards the mode by which it might be made more acceptable to the people of this country, I think that can be easily refuted. That objection is susceptible of easy explanation when one bears in mind the change which took place in the feelings of the country from one period to another. When the Treaty was originally signed there was a considerable feeling excited against it, arising out of several causes. In the first place there was a feeling that the right of common of fishing had been given away over our heads—that the Parliament of Canada had not been asked beforehand whether they would or would not give up their fishing rights within the three miles limits. The Government, representing the confidence of this Parliament and country, had not been consulted, and consequently there was considerable feeling on the subject in every section. Again, the people of Canada felt that they had been unjustly treated with respect to the Fenian claims. Everybody knows that each of the Fenian invasions had been rendered abortive not by the exertion of the United States but by the patriotic efforts of the people of this country. (Cheers.) If England appeared to give more credit to the United States than was their due, it arose in a great measure from the fact that the telegraph wires are in the possession of the Americans, and the news of the invasion and movement of the United States Government to arrest the Fenians reached England simultaneously and created the impression that their interference was really more prompt than it was. Under those circumstances knowing the great losses which had been inflicted upon the country, we were anxious that the Fenian claims should have been dealt with at Washington and indeed we

had the promise of the Imperial Government that they would be considered. When we found that the letters which had passed between Lord Kimberley and Sir Edward Thornton were not sufficiently comprehensive to include these claims, the people of Canada were exceedingly dissatisfied: They were dissatisfied also because they believed the consideration which was given for the fisheries was inadequate. They had been desirous of obtaining Reciprocity, but that was not given in its entirety by the Treaty; and I think when the first Minutes of Council were written they represented the feelings of the people very correctly. Time passed on and opportunity was given for that sober second thought which often leads to the safest conclusions on questions. In the first place, we supposed that those engaged in the fishing trade were against the Treaty, but we found in the course of time that the Maritime Provinces were decidedly in favor of the measure; and that has now been conclusively proved by the vote given in the other branch by the representatives of those provinces. When we found that the feeling of dissatisfaction was disappearing, that those most affected by the Treaty were ready to accept it, a new view of the case was submitted to the Government, and justification afforded for the language used in the second of these despatches to which reference has been made with the view of showing the inconsistency of the Government. There remained, however, the Fenian claims and we submitted a proposition with respect to those claims which we hoped would enable us to satisfy Parliament. It has been said by some English newspapers that the British Government should either have enforced those claims or refrained from giving us any consideration for them. I am not prepared to say that I concur in that view. It is, of course, the bold and unanimous view; but at the same time there is a great deal of consideration due to those great topics which affect the peace of nations. If it was believed that these Fenian claims could not be enforced without endangering the peace of the two countries, it was a wise although it may not have been a bold thing, not to have pressed them. I do not think the people of this country are open to any accusations or imputations because they accept this guarantee. We had a fair claim for compensation for the damage we suffered from the Fenian invasion. We had discharged our obligations towards the United States—we were living quiet, peaceable lives—showing no disposition

whatever to be aggressive, when from time to time these Fenian raids took place and the country was put to a large loss of life and property. When Great Britain, for Imperial reasons, refused to press the claims of Canada, there was no reason either in morals or good sense why the people of the country should not ask the Imperial Government to give such compensation as would satisfy us in some measure for the losses we had sustained. In the next place, as to the merits of the Treaty, I apprehend when we look at the vote elsewhere, we have a strong indication as to the feelings of the country at large. The merits of the measure were there discussed at length, but I think this is remarkable that those members of Parliament who come from the Maritime Provinces and who are best able to form opinions upon that part of the Treaty which affects the Fisheries, are for the most part—particularly those representing fishing counties—favorable to it. Amongst others I was particularly struck with the speech of one of the members for Halifax, who spoke with a great knowledge of the subject—engaged as he has been for many years in the fisheries—knowing all the circumstances of the trade before 1854 down to the present time; and his arguments were particularly strong in favour of the adoption of the Treaty. I may say here at once that there is no giving away of Sovereign rights—we have admitted the United States to a common fishery for a certain period and certain conditions, but when that period expires we can if we wish have our rights restored. Under the old Reciprocity Treaty, and the licensing system the American fishermen were giving away our Sovereign rights. It must be borne in mind that there is in the Treaty an acknowledgment of the right of fishing within the three miles limit to be exclusively our own. And this right will revert to us exclusively at the expiration of the period of twelve years allotted for the duration of the Treaty. A good deal has been said with respect to the navigation of the St. Lawrence. By the comity of nations the St. Lawrence is open to the world as far as Montreal, and the United States in consequence of owning the country alongside of us have the right of navigating the great lakes as far as St. Regis. What has been done under the Treaty is to give them the right of navigating the river between St. Regis and Montreal; they cannot well use it unless they pass through our canals, and we do wish to see their ships pass through the St. Lawrence and our canals, and the wealth and prosperity of Canada in that way enhanced,

In giving up our fisheries we acquire from the United States advantages of very considerable moment. In the first place they do not pretend that the fishing rights which they give us are equal in value to those which we give to them. An arbitration accordingly is arranged by which the difference between the respective concessions may be ascertained and paid to this country. I have no doubt in my own mind that that the Minister of Marine and Fisheries will be able to make out a very strong case with respect to the value of these fisheries. Then there is the bonding system which is of great value to both countries, and if it had not been continued by the Treaty, Canada would have been seriously inconvenienced. Irrespective of these advantages the feelings of the people of this country changed very much on account of the knowledge that great importance was attached by the Parliament and people of England to a solution of the difficulties between Great Britain and the United States. We felt that the people of England were actuated in a great measure by the consideration that no part of Her Majesty's Empire had a deeper interest in the peaceable adjustment of the difficulties than Canada herself. We knew that the people of England were making some sacrifices of national pride which Englishmen feel as much as any other people when they agreed to accept the Treaty for the sake of peace, and above all for the sake of this part of the Empire, (applause.) Then, there grew up in this country a desire that we should reciprocate the sentiments displayed by Great Britain and make any reasonable sacrifice in order to carry out a Treaty which was matured in the interests of the whole Empire. Since these transactions took place we have had remarkable evidence of the importance attached to the preservation of the Treaty both by Great Britain and the United States. The history of the indirect or consequential claims is pretty well known to us all, and we have witnessed the earnest desire of the people and of the statesmen of both countries that the ill-considered advancement of these claims should not be allowed to break up the Treaty. We have seen the anxiety of the Government of England whilst refusing absolutely to admit that these claims could be considered by the Geneva tribunal to arrive at some arrangement by which they could be withdrawn without offence to the sensitiveness of the people of the United States. We have seen also the forbearance which the Opposition in England has shewn during the whole

course of the negotiations which we believe are now drawing to a satisfactory close. All parties have acted calmly and patiently, and there has been a sacrifice of some national pride on both sides. It has undoubtedly been very difficult for the United States to recede from the position which the case submitted on their behalf had taken up with reference to the consequential damages, and so on the part of both these nations, sacrifices have been made with the sole object of giving this Treaty effect, and as to the course that Great Britain has taken, I think it beyond doubt, that it has been very much actuated by regard to the position which she occupies on this continent. I am quite sure that this House fully understands the magnitude of the interests involved in the satisfactory adjustment of all differences between the United States and England and I hope honorable gentlemen will unanimously agree to pass this bill, the second reading of which I now beg leave to move.

Hon. Mr. J. E. L'ELLIER DE ST. JUST.— I must say at the outset that I feel rather embarrassed in rising to address the House on a question which has already been so fully discussed, but I believe we should not allow the present occasion to pass without expressing our opinion on a subject of so much importance. I regret that I cannot accept as correct the views expressed by the Hon. Postmaster General. I certainly join in the expression to which he gave utterance of the necessity of securing by the best mode in our power a lasting and honorable peace between the two great nations who might have been embroiled in war by the Alabama difficulty. I am not, however, prepared to admit that war would arise were the fishery portions of the Treaty to be omitted. If there were such danger no Canadian would hesitate to give his assent to this part of the Treaty. In my opinion, this portion of the Treaty does not interfere with the peaceable solution of the difficulties on other questions between the two great powers who are parties to the measure. The real question at issue was not one of our own—it arose entirely out of the policy adopted in England at the time of the American civil war. The people of the United States felt deeply aggrieved at the depredations caused by the Alabama and other cruisers. They were first laughed down when they made a demand for redress, but subsequently the Johnson Treaty was agreed upon. At that time the question of the fisheries was not taken into consideration. When the Johnson Treaty was passed, and we re-

member it was afterwards rejected by the United States they thought they could settle it without going to the Dominion and saying—You shall have a share in this Treaty, you shall grant us your rights over the navigation of the St. Lawrence. Subsequently a demand was made by our Government for the protection of our Fisheries, and indemnity for the losses we sustained from the Fenian raids. When the Postmaster General went on that mission he must have felt that he was not treated as a Minister of the Crown ought to have been. The replies of Lord Kimberly were certainly given with a harshness that this country did not deserve. However we had to submit, and then ensued the proposition to the Washington Government to renew the negotiations which had been broken off between the two Governments for the settlement of the Alabama difficulty. The Minister of Justice was appointed one of the Commissioners, and I admit that the moment he accepted the position he separated himself from his colleagues and became an Imperial officer; but at the same time I cannot believe he could divest himself entirely of his position in Canada, or of the feeling that his Government would be to a certain extent responsible for his position. Now it is urged that the Treaty is a good one. It seems to me that it is a great deal like the other treaties passed between Great Britain and the United States; we have always had the worst of it. If we go back a good many years we see a large portion of our Western Territory was taken from the Colonies for the sake of peace. Later we find, in 1842, that a Commission was appointed to settle the question of the boundary of New Brunswick, and Quebec; and here again a very valuable section of our territory was handed over to the United States. That Treaty was characterized in the Parliament of England as a sort of capitulation, because the United States obtained what did not belong to them. It was, besides, the mistake of British diplomacy that led to the difficulties connected with the Island of San Juan, and which have to be settled by an arbitration. I do not contend that we should not be placed in a position to assist England in her efforts to ensure peace with the United States, but I do say that when we are paying the full amount of her debt we should be treated in a different way. We ought not to see the Fenian claims disposed of in the way that was done on the Commission; for the moment they came before it, the reply was that they could not be considered—they

were not named in the stipulations and must therefore be set aside as of no value whatever. Might it not then be said with truth that our rights had been sacrificed and the Treaty was a capitulation? In compensation we are to have a guarantee for £2,500,000, but that really amounts to nothing but the endorsement of a vote which would never be protested on the market, whilst we continue to enjoy our present prosperity. Then our territorial rights, the fisheries and the navigation of the St. Lawrence, have been ceded to the United States without adequate compensation. All that we are to receive for all we give up is the free entrance of fish and fish oil into the American market. The Hon. Postmaster General acknowledges that there was a clamor against the Treaty, but now it is all drowned by the votes of the other House. I do not pretend to say that the result of the vote is not to a certain extent the expression of opinion of the country, but I do say this, if the Government examine this vote, they will find that certain sectional interests have been predominant. For instance, you will see a number of persons who are trying to get a free market for the only products of their country; and it is not strange that they should go for the treaty; but they must remember that they do so at the expense of the other portions of the Dominion. It is true that the majority is large, but it is formed chiefly by those members who are most anxious to obtain access to the markets of the United States. We know that an effort was made for a larger award; it was proposed by the American Commissioners, that fish, fish oil, coal, lumber, and salt should be admitted, but the result was that the British Commissioners said that they could not accept those terms until they conferred with their Government, and so valuable time was lost, for when at a later period they came to consider the question, they found the American Commissioners would not agree to the original proposition. The Americans then found the British Commissioners ready to accept any conditions that might be imposed upon them. The result was, that instead of obtaining free admission for the articles I have mentioned, they had to be satisfied with a market for a single commodity. When we consider the famous national policy of gentlemen opposite—that it alone was to give us Reciprocity, it is difficult to understand their present position. If we had allowed things to remain as they were, and not mixed up our questions with matters of deep Imperial import, we would be in a

decidedly better position now; for I repeat my opinions that war would not have ensued from the Fishery question. If any disposition had been shown by the United States to precipitate war on this country in case we rejected this part of the Treaty, I would believe there is a necessity for our accepting the measure; but nothing of the kind has been manifested. We do not see in all the correspondence on this subject between Great Britain and the United States that the position of Canada has been adverted to in the least degree. There must be an instinct of patriotism in the breast of every Canadian which must make us feel that our rights have been sacrificed. I do not say it is at present desirable, but I believe there must come a time when we must stand by ourselves. If we look at the press of the mother country we see that there is a feeling that we are a source of difficulty to the mother country, in fact a source of weakness. Might not the time then come when the Empire will endeavor to get rid of the weakness? If we are such a source of difficulty I do not see why we should not take steps which would prevent the Empire from suffering loss. I do not say it is desirable to become independent, but it is in the future; for we cannot remain as we are but we must become a nation in the course of time. The days of our youth have passed, and when we consider the vast extent of our territory, the growth of our population, the prospects of Immigration in the future, the incalculable value of our resources, we must see that the time must come sooner or later when we shall be called upon to assume a higher position among the communities of the world. I do not say the time for this has yet arrived, but we can see evidence pointing in this direction. Suppose now, to return to the Treaty, we wished to enter into larger commercial relations with the United States, what would we have to offer them as an inducement? We would not have the Fisheries, for they would be granted in such a way that even when it comes to an end we will have little or nothing to say as to its renewal. This is our last chance of dealing with the question; henceforth it will be in the hands of Great Britain. If it is not her interest to renew the Treaty we will be deprived of the advantages we formerly possessed; and then difficulties and discontent must arise and perhaps bring about the very result to which I have been referring. It has been said that a certain portion of the Dominion must derive a great benefit from the passage of the Treaty, but we know the

indignation with which the news of its provisions was received at Fredericton, and the unanimous vote which was passed declaratory of the opinion that the measure was a bartering away of Colonial rights for the sake of certain Imperial interests without Canada receiving a sufficient equivalent. As respects Nova Scotia I admit that there is a certain class in favor of the Treaty because it gives them a free market for their fish; but the interests of the other Provinces are ignored. As time passes and the country more clearly sees the value of the rights that have been sacrificed, Parliament itself will be forced to declare that the Treaty is no benefit to the Dominion. I do not intend to ask the House to divide on the question, but I am nevertheless compelled by a sense of public duty to express my disapproval of a measure which hands over our most valuable territorial rights at the dictation of a foreign power because England wishes to settle her Alabama difficulties. In connection with this question let me give a short citation from a book, which has a bearing on treaties like, the one now under consideration. "In 1773 by the Treaty of Recognition of the United States, Great Britain did abandon the State of Illinois and other valuable territories which had been ceded by France to Great Brit in in 1763. In 1818 the fisheries on the unsettled shores of Newfoundland and Labrador were abandoned gratuitously as well as our rights to a boundary line the Mississippi. In 1842 by the Ashburton Treaty, which was styled by the public men in England, a capitulation Great Britain gave up the Maine territory then a possession of New Brunswick and of Lower Canada; in 1846, by the Oregon Treaty the Columbia river and the Oregon territory were surrendered to the States, and in 1872 we surrender the Island of San Juan, the Fisheries, the Navigation of the St. Lawrence, and endanger the exclusive rights to our canals, and all that for the sake of peace. Are not all these treaties leading to the total sacrifice of the Canadian Territory, piece by piece, and are they not tending to diminish and cripple our natural resources and creating a feeling of uneasiness, inspiring ideas of the necessity of a change in the relations of the Dominion with the Mother Country." With respect to the navigation of the St. Lawrence it is urged that the river is not navigable, and the Americans must make use of our canals. I believe the Treaty in spirit gives the Americans the right to use the canals just as they can use the river. I have little doubt that if they think it

necessary they will contend that they have such a right and find means of making Great Britain acknowledge that to be the case. We know from the sad experience of the past that whenever the United States wish to obtain any concessions from England, they are invariably successful; and it would be just the same thing hereafter should they come forward and put an interpretation on the Treaty that will give them the use of the canals on their own terms. When the Americans asked for a portion of New Brunswick, their demand was resisted in the first instance, a good deal of correspondence ensued, and a Commission was finally appointed with the result of giving the United States all that they demanded. If there is one person in this House who should object to this measure, it is the Minister of Marine and Fisheries, who has said that our fisheries are of so much commercial importance that we ought not to give them up except for sufficient commercial concessions. Gentlemen need not say that we have the canals, and the Americans cannot make use of them except with our consent. If a question should arise in connection with them, I repeat Great Britain will declare rather than get embroiled that they are within the interpretation of that part of the Treaty, giving the Americans the right to navigate the St. Lawrence. In conclusion, I must express my regret that the rights of Canada have been so egregiously sacrificed for the sake of Imperial interests. I regret it because I cannot see that war could be apprehended on account of our deciding to reserve our right to the fisheries and the St. Lawrence, until we obtained the concessions to which we are fairly entitled. The question of the fisheries ought to have been arranged on its own merits—not mixed up with a matter of such vital import to the Empire, as the Alabama difficulty. I do not wish to be considered disloyal to British connection, when I object to the Treaty, for I am only actuated by the desire to express my opinion as a Canadian, anxious to promote the interests of Canada and preserve the honour of England. I have spoken frankly and unreservedly on the subject, and I trust in a manner consistent with true philosophy and historical facts.

Hon. Mr. WARK—I think the hon. member mistakes the feeling of this House altogether when he thinks that he does not at all times receive the earnest attention of hon. members when he addresses them; for all of us must admit that he invariably expresses himself in a

clear, moderate, and intelligent manner. There are perhaps few subjects which have been brought under the notice of the people of this country, that have led to a greater diversity of opinion than the question which we are now called upon to discuss. The hon. Postmaster General has remarked that a great change has taken place in the opinions of many persons since this question came to be discussed. My feelings on the subject have not undergone any change. Perhaps I have viewed the Treaty more favorably than others from the circumstance that I have always held very strong views of the importance of preserving the connection between the mother country and this Dominion. I read the Treaty very carefully and for the reason just stated came to the conclusion that it was a measure which ought to be accepted by the people of this country. I have not failed to see that one defect in the Treaty has been that the question of the right of the Americans to fish in our bays, and within our headlands, had not been settled at the same time with other questions, for we must all see the inconvenience of having this matter left open, to be thrown back upon us at some future time. It is also matter for regret that whilst the parties to the Treaty took so much pains to define everything in connection with ships, they did not define the duties of Government to prevent such scenes as we have witnessed during the last few years in the United States. I believe there is no country in the world which affords so safe a refuge to political offenders as England. We remember a few years ago when the Emperor Napoleon made certain representations, a great English statesman—Lord Palmerston—gave way to him, but the clamor that was raised against infringing on the right of asylum was so great that he was forced to resign. But at the same time these political refugees must keep within the laws of the country. It was well known, however, that these Fenians organized in public, appointed generals, raised money, purchased arms and supplies under the very eyes of the United States Government, and still not a step was taken to arrest their illegal course until Canada had suffered heavy losses. I hold that such a state of things was most unfriendly to this country, and it ought to have been considered with the other questions disposed of by the High Commissioners. We all know the advantages we enjoy as a dependency of Great Britain—in the time of peace our ships are to be found in every part of the world, and in case of difficulty

they have British Consuls, and accredited representatives to consult. On every sea, they find a British cruiser to protect them in the time of war. We must remember that in time of war we have always been defended, and we have the pledge of the protection of the whole Empire in case of danger hereafter. If we enjoy advantages like these we should certainly be prepared to make some sacrifices for the benefit of the Empire; but I do not believe that the sacrifices which we are called upon to make are as great as some persons estimate them. I am not prepared, however, to admit that the right of sending fish into the American market when we have all the markets of the world open to us, is going to be of such great benefit to the fishing interest. The benefit of such an arrangement can only be seen after a time. If we find that the price of fish keeps as high in the United States market as heretofore then our fishermen will be benefited to the extent of duty exacted, and it will be a great advantage to us to send our fish there. On the other hand, if we find that fish is regulated as to price in Halifax and St. John, by the markets of the world, and that the fish caught by the United States comes down to the same value, then it will be the consumers in the United States and not our fishermen who will receive the benefit. I hope the Minister of Marine will keep this point in view when he goes to submit the claims of Canada for additional compensation. I am a free trader, and believe it is generally the consumer who pays the duty. I have carefully considered the position of this country in connection with the Reciprocity Treaty, and hold strong views on the subject. The great interest of Ontario is agriculture, and the people of the Province considered it a great advantage to get their products into the United States free of duty. It is most important, however, to obtain a market in a country that does not produce itself—there is a great advantage in an interchange of different commodities. I fail to see the benefit of sending our agricultural commodities into a country that produces more than it consumes. The United States have been always the exporters of flour: where then is the advantage of sending Canadian flour into the United States. It might be they would not export the same article they got from us, but then the Americans consumed less of their own products and exported more to foreign markets. The profits of our agricultural interest accordingly went into the United States, the commodities of Canada were carried through American canals and over American rail-

ways, and distributed to foreign markets by American ships. So the United States actually derived all the benefit from this trade under the Reciprocity Treaty. I believe the repeal of the Treaty has injured the Americans more than it has Canada, and that we have been learning the benefits of self-reliance. I do not think that it will be for our advantage to have a Reciprocity Treaty immediately—we have still a good deal to learn in the way of making ourselves independent of the United States in the matter of commerce. Many other points connected with the question suggest themselves to my mind, but like other gentlemen, I feel that it has already been sufficiently discussed in Parliament and in the Press; but this I may say with respect to the position of Sir John Macdonald that when a man accepts an appointment to negotiate a Treaty he ceases to be responsible to anyone except the power that appoints him. The whole responsibility rests on the Ministry of Great Britain, and the Commissioner had simply to act in accordance with its instructions and certainly cannot be held responsible to anybody else. I think on the whole we owe it to the country under whose protection we have enjoyed so many advantages to make some sacrifices in case she thinks proper to ask them at our hands.

Hon. Mr. DICKEY said: It is impossible to approach the consideration of the Treaty, which this bill purposes to ratify, without being impressed with the gravity of the subject. This Treaty has during the past twelvemonths been the subject of anxious and thoughtful deliberation by the leading statesmen of the two foremost nations of the world, by the press everywhere, and by the friends of peace in every civilized land. It is not necessary to enter upon a lengthened discussion of the comparative merits of the provisions of the Treaty, and yet it is due to the Senate that so important a measure should not be accepted or rejected without discussion. In this sentiment I entirely concur with my Hon. friend on my left (Hon. Mr. Letellier), but I differ from him in the reasons he gives for opposing that Treaty. He complains that Canadian interests have been bartered away for Alabama claims. Why if my Hon. friend had read the printed correspondence, he must have known that the proposal of the British Minister was only to refer the Fishery question and other questions affecting Canada, and that it was the American Secretary of State who proposed that the Alabama claims should be included in the reference. Besides, had the Alaba-

ma question resulted in war, who would have been the chief sufferers? Would not the people of Canada? (Hear, hear.) That the Treaty was fair to England or to this country, I am not prepared to assert, but two important considerations must not be overlooked. 1st. No Treaty agreed to by the American Plenipotentiaries could go into effect until ratified by a two-third vote of the United States Senate. 2nd. The English Commissioners were hampered by instructions, and it was a foregone conclusion scarcely concealed in Washington that they were to return with a Treaty of some sort. Englishmen are proverbially frank and outspoken, and it is not surprising that their more astute opponents should have profited by it. Apropos to this, it has struck me as a curious fact, that while Mr. Fish's proposal of reference is in terms most comprehensive, "ALL the questions which now unfortunately stand in the way of an entire and abiding friendship between the two nations," his Government should have objected that it did not cover the Fenian claims, while the provision for settling the losses by means of the Alabama and other vessels has since been claimed as including consequential damages, not referred to in the Treaty. (Hear, hear.) Talleyrand's celebrated saying that, "language was invented to conceal men's thoughts," is no longer a governing rule in European diplomacy. The negotiations resulting in the Treaty of Vienna, dragged through several years, while the Conference at Washington produced the important Treaty under consideration in a few weeks. On this occasion that frankness to which I have adverted was carried almost to the verge of indiscretion. Many things were taken for granted, and a loophole was left for the indirect claims which have since excited so much bitter feeling. It is very much to be regretted that this was left to understanding, and that the matter was not placed beyond cavil by the introduction of a few plain words. Happily we at last see the silver lining of the cloud that for the past three months threatened to overshadow the two countries. It would indeed have been a sad spectacle for men and angels had this first attempt to settle international disputes by international arbitrament proved abortive. In the interest of peace and civilization we must all rejoice at the prospect of its being carried to a successful issue, and thus ensuring lasting harmony and good will between the two great powers of Europe and America. (hear, hear.) Reverting to the Washington Conference, I have reason to believe

that but for the tact, ability and firmness of Sir John A. Macdonald, even less regard might have been had to the interests of Canada (hear, hear.) In corroboration of this, it is only necessary to refer to the minute of the Privy Council, 28th July last, in which the Ministry have well and ably reflected the prevailing sentiment of Canada, and have set forth in the strongest light the objections to the measure. In this report strong ground is taken, and very properly too, on the subject of the claims for losses by Fenian raids. I need hardly remind the House that on every occasion when this matter has come up I have denounced the conduct of the United States Government as unworthy of a friendly nation and contended that there is no principle on which the Alabama claims could be contended for that would not apply with tenfold force to our claim for indemnification on account of these Fenian raids. My hon. friend from New Brunswick (Hon. Mr. Wark) seemed to make it a subject of complaint against the Treaty that it laid down no rule to prevent such raids in future. Had he referred to the 6th article, he would have found that the second rule does provide for the future by stating that a "Neutral Government is bound not to permit or suffer either belligerent to make use of its ports or waters as the base of naval operations against the other, or for the purpose of the renewal or augmentation of military supplies or arms or the recruitment of men." And the third rule makes this obligatory as to "all persons within its jurisdiction." So that this is an additional feature of the Treaty which should commend it to all Canadians. Had this been in force in 1866 or 1870 the incursions from the other side of the border could not have taken place, and in future all such raids are simply impossible while the two countries remain at peace, (hear, hear.) As a recognition of our claim for these Fenian losses we have received the Imperial guarantee for twelve million of dollars in aid of our contemplated canals and railways; the money advantage of this to us is great and palpable, but I attach even more importance to it as a pledge and token of lasting connexion with the mother country (hear, hear). My hon. friend (Hon. Mr. Letellier) talks mysteriously of the future of this country, as if public opinion in England pointed to an early separation. I do not propose to go into that question at large to-day but I wish to say that I have no sympathy with those views, and I believe this House has none [hear, hear]. There may be *doctri-*

naires or people of the Manchester school, or what my hon. friend calls philosophers, who talk vaguely of these speculative changes, but there is nothing in the utterance of any English statesman or any head of a party to justify the inferences of the hon. member. On this point the great heart of England is sound, and there need be no fears of even the suggestion of a separation while we desire, as I believe we always will, to remain attached to the old flag [hear, hear]. In considering this question it must never be forgotten that the very essence of a treaty is compromise. In no other way could a treaty be negotiated. It is a balance of equivalents [hear, hear]. Although not then in public life I well recollect the storm of indignation in Nova Scotia in 1854 when the Reciprocity Treaty came up before the Assembly for ratification. Two of our ablest men of opposing parties, Messrs. Howe and Johnston, denounced it as unfair to Nova Scotia, just as the Hon. Mr. Letellier and others denounce the Washington Treaty to-day as unfair to Canada. These gentlemen have lived to see their prophecies falsified by the event, and I have no doubt my hon. friend a year or two hence will equally acknowledge his mistake. At the same time I am far from regarding the abrogation of the Reciprocity Treaty as an unmitigated evil. It has put us on our mettle, driven us to seek new markets and taught our people the great national virtue of self-reliance. But does the Washington Treaty bring with it no advantages? The persons most interested in Nova Scotia are of opinion that the free admission of fish into the American markets is a great boon, while the privilege to land and carry on trade must redound largely to the advantage of the people along the coast. The man who launches out from the rocky shores of Nova Scotia to earn a livelihood for himself and his family from the bosom of the deep knows full well that he has an ample market in the United States where hereafter as of old under the Reciprocity Treaty, he is sure of a remunerative price. My hon. friend (Hon. Mr. Wark) seems to think that our market would be swamped by fish of American catch, but I can console him by telling him that our fishermen had twelve years' experience under the Reciprocity Treaty, and they are not afraid of the competition. The hon. member (Hon. Mr. Letellier) has deemed it not unbecoming to sneer at Nova Scotia, as if fish was the only article she had to export. I trust my hon. friend will come down to the sea-side and we will show him that we

export coal and gold and lumber and agricultural produce to the United States in the face of large duties and could we obtain Reciprocity the export of these articles would be largely increased. (Hear, hear.) The securing of the bonding system by treaty through the United States cannot fail to be of advantage. Cut off as we are from a winter port on the Atlantic and with no land conveyance throughout the year except by ordinary roads or through a foreign country to the great interior of the Dominion. Then the coasting trade on the lakes must throw a vast amount of carrying trade into the hands of Ontario. It has always been the policy to attract as much as possible of the traffic of the Great West of the grain producing country on the borders of the Great Lakes to its natural outlet by the artery of the St. Lawrence and its artificial adjuncts of navigation. Nay, I hope ere many years to see the grains of the noble prairie country and our own far west beyond Lake Superior brought down this same avenue to the seaboard. Canada has a deep interest in securing this carrying trade, and the opening of our canals to the Americans is really in our own interest. I have only glanced at the many obvious advantages of this treaty. Is any one prepared to take the responsibility of rejecting it? I trust and believe not. Hon. gentlemen I support this treaty, not as the best to which we were entitled, but as the best we could get. I support it as bringing a lengthened peace with our nearest neighbors, and because peace means prosperity to the land we all love. The distinguished nobleman about to leave our shores may well look back with satisfaction to the rapid strides that Canada has made under his administration. Seldom has it fallen to the lot of a representative of the Sovereign to witness such gratifying results in four short years. Other Governor Generals have had the proud boast of adding conquered provinces in the East, but ours is a still prouder boast of a peaceful acquisition in the West of territories equal in size to the half of Europe, and rich in agricultural and mineral resources, our revenue has increased, the volume of our trade has nearly doubled, and content and plentifulness reign throughout the land. With peace assured on our borders, and our people free to develop the great material interests of the country, who shall set limits to its progress during the next decade. Let us then, if possible pass this Bill to-night without division in deference to the expressed wish of the Mother Country, and we shall present ourselves

before England and the world a loyal, happy and strong, because united people. (Cheers).

Hon Mr. REESOR—On a question of so much importance I think it only fair that an expression of opinion should be given by the members of this House. The position taken by the former speakers in this debate appears to me to be one assumed by a large number of members in both branches of the Legislature, and is evidently influenced in a great measure by a desire to yield to the express wishes of the Home Government. I can fully sympathize with those who express that wish; but at the same time we must all feel that this Dominion has certain rights and privileges which require consideration, and ought not to be overlooked, notwithstanding our attachment to the Parent State. The responsibility of the Dominion Government in the settlement of this question, I believe, goes further than some hon. gentlemen would seem to think. They appear to throw the whole responsibility upon the British Government; but reading over the correspondence on this question we find that Canada was represented upon the Commission. As the First Minister of the Crown was appointed on the Commission, we have reason to say that the Government of Canada had a certain responsibility in the action and decision of that Commission. In all the despatches relating to the appointment of the Commission we find it expressly stated that "Canada will be represented." And this was carried out by the appointment of the Premier of Canada, Sir John A. Macdonald. Now as respects the course pursued by the Canadian representative upon the Commission, I know that it has the approval of a large majority in one branch, and will probably obtain the sympathy of this House as well. The responsibility is therefore in a great measure shifted off his shoulders to those of the people of this country. I quite concur with the remarks that have been made by previous speakers as to the injustice that has been done to Canada in ignoring the Fenian claims. Earl Granville in the first of his letters of instructions to the High Commissioners intimates that among the subjects to be discussed will be "the claims of the people of Canada on account of the Fenian raids." It is to be regretted that not only have our claims in this particular been overlooked, but that we have no sufficient guarantee in the Treaty itself against like occurrences in the future. One cannot help being impressed with the idea that had the Commissioners exhibited half as

much determination to have a settlement of these Fenian claims, as the British Government has shown since the question of "consequential damages" came up, the United States Government would have yielded and adjusted the matter to our satisfaction. Now it is said that the Maritime representatives sanction this Treaty, and that their approval shows the merits of the measure. But it must be remembered that this is a Dominion question, and cannot be considered in a purely provincial or sectional aspect. No one denies that certain interests in New Brunswick and Nova Scotia are benefited by the Treaty, but at the same time we see that no adequate compensation has been given to the whole Dominion for what it sacrifices under the measure. The value of the products of the Dominion that find a market in the States amounts to something like twenty seven millions of dollars; and all these commodities, or nearly all, pay a large duty. If the duty were removed, we would be gainers probably to the extent of some four or five millions of dollars. I remember well when the Reciprocity Treaty was repealed, there was immediately a decline in the price of certain exports of Canada, amounting to 25 or 30 per cent, in cattle, sheep, peas, barley, and other grains that had found a large sale in the United States. Taking into consideration all the circumstances, it seems to me that we concede too much and receive too little, simply because England is deeply anxious to have a great difficulty of her own immediately settled. I think we do wrong if against our convictions of what is right, against the convictions of the Government of Canada as set forth in strong terms in their Minutes of Council, we allowed a measure of this kind to pass by general assent. We ought to express our opinions frankly, and show that we are not insensible to the wrong inflicted upon us. It is not by conceding everything that is asked, we can have justice done to us. It is for Canada to stand out for her just rights, otherwise she will never secure them. The Home Government has been considering this question with a regard to Imperial interests alone. I do not say that it has been utterly regardless of Canada, but I believe it has not been in a position to understand what was the best for the interests of this country. It is for us, when the opportunity is given under this Bill, to remonstrate strongly against the injustice that has been done, and prove to Great Britain what sacrifices we are called upon to make at her demand and for Imperial considerations.

Hon. W. J. McDONALD, (B. C.)— I consider myself in a position to look at the question now before this House free from all local feeling, and free from all party spirit, not having been hitherto mixed up with the politics of this country. The causes which led to the negotiations of the Treaty are so well known, and have just been reviewed by the Postmaster General. I need not therefore repeat them. If by the Treaty of Washington our territorial rights have been invaded was this done solely in the interests of England. Was this done to patch a peace with America with a view to future complication in Europe and the balance of power being destroyed and new alliances formed? Such is not the case—this Treaty is as much in the interests of Canada as that of England, and were she not jealous of our rights what difference could it make to her who fished in our waters. It must be evident to all that there exists a strong feeling in England that this country should have peace and tranquility and not be contending for her rights with a foreign State, rights which she has always helped us to maintain and will still do so. The people of this country cannot, and do not wish to have causes of dispute and quarrels left open no more than England does which might at any time lead us into serious complication with a powerful neighbor. and one branch of the Parliament of this country has sustained this view of the question, and deemed it expedient to ratify the Treaty although it was not all that could be desired. History shows that Canadians have always held their ground against the United States, yet we are a commercial and not a military people, and unsettled international questions disturb our industries; unsettle the public mind periodically; cripple trade, and retard the general progress of the country. And this Fishery question unless settled will be a continual bone of contention, and will have the most damaging effect on the credit of this country and must interfere with the great public work now in contemplation. Our duty then in the furtherance of all these interests is to give effect to the Treaty, and should we need further evidence to convince us of this, we have it in the vote given in the House of Commons by the Quebec, New Brunswick and Nova Scotia members—63 for the Treaty, 21 against. It has been clearly shown by members of both houses that a great stimulus will be given to many branches of trade in the Lower Provinces under the provisions of the Treaty, and that no Province will be injured. The Government of this country

have given the matter their most careful consideration, and studied the question in all its bearings. And all admire and approve of the determined stand taken by them, and the clear and vigorous way in which they placed the views of this country before the Imperial Government, and if finally they accepted a modification of these views and took all that it was possible to get they cannot be blamed. I feel that they have the best interests of the country at heart, and I am bound to give my support to a Government that has ruled the country so well during the last five years as shown by the great prosperity of the country. If under the operation of this Treaty the balance of trade should appear against us, a money payment is provided for equal to such balance. Why should a money payment be scorned? What does all commerce and trade lead to but money? But it appears to me that there is so much sentiment mixed up with the whole question that sight is lost of the reality. The honor of the country cannot be sullied by the negotiations in this matter as we are left free to reject the Treaty. We are free in this as in all things, yet there are certain ties which link us to the mother country which it would not be politic to sever or even to tighten at this time, and if hereafter we have to separate let the responsibility rest with England and not with Canada. If we reject this Treaty, and England withdraws her countenance, withdraws her protection, and withdraws from arbitration in our affairs, are we in a position to protect our own fisheries? Are we prepared to build, man and equip a navy capable of protecting our interests. I contend that we are not able, or in such a position. The rejection of this Treaty means more than the simple rejection, it means a feeling antagonistic to that of the Empire, it means introducing the thin end of the wedge of independence, it means republicanism, it means anarchy and confusion, and the worst feature in independence is the form of government which we would have to adopt. A monarchy we cannot have, and a republic is the only thing open to us. When we have this form of Government I do not wish to live in this country. Imagine this country a republic. How insignificant we would be, hemmed in on the one side by an enormous country and on the other by the North Pole, rent asunder by political factions and a continual struggle for power, without status as a nation, and without weight in the council of nations. As we are now I believe the people of Canada are the most free, the most pro-

perous and the most happy people on the face of the globe. The very country in which we live conduces to vigor, industry and self reliance. We are well governed, the laws faithfully administered, and civil and religious liberty secured to all. Therefore if we are true to ourselves, if we are true to this New Dominion let us enter into closer bonds with the Mother Country the cradle and nursery of freedom, civilization and justice, who will not suffer us to be wronged or oppressed; and if we are called upon to give up in her interests a portion of our inheritance let us do so cheerfully, an inheritance which she herself has given us. Before sitting down I must say that all English statesmen however great their talents, however carefully they may have looked to Imperial interests, yet in dealing with the United States in the matter of colonial boundaries and other questions affecting the Colonies, have always manifested too great a wish to accede to American demands, and have been too much influenced by American bluster and too ready to sacrifice colonial interests. With regard to San Juan Island that question has been left to the arbitration of a disinterested monarch, and altho' the Americans have pertinacity on their side we have justice on our side. When that Western boundary line was settled the only ship channel known was the one claimed by us, the existence of two channels was not known and the one now claimed by the Americans was not then used by the only navigators of these waters the Hudson Bay Company. In all justice San Juan ought to belong to us, it is closer to our shores and of more importance to us than to the Americans. We have occupied it with farm and fishing stations from 1851 to the present day and America never laid claim before 1855, and took forcible possession of it in 1858. On the navigation of the St. Lawrence I do not feel competent to express an opinion, the question being governed by international law and by commercial policy, but I wish to say this much, that whatever brings trade and traffic through this country deserves our support and encouragement as it must contribute to our revenue and importance by showing that we have the best route and highway for traffic through our country.

Hon. Mr. NORTHUP—The question now before us has already been so thoroughly discussed in the Legislature of this Dominion and elsewhere perhaps nothing further of interest can be said upon the subject. I will ask the attention of the House for a very short time to make a few remarks from a Nova Scotia

stand point. The fishery interest was very successful during the Reciprocity Treaty, and we have ever been most desirous for its renewal. In the present Treaty we have more, inasmuch as during the old Treaty we stood on equal footing, not so now, as we can build and outfit our vessels for 25 per cent. less than the Americans and are nearer the fishing grounds, and these are indeed great advantages, and to compete successfully with us they must either get their vessels built or outfitted with us, and this would be to our great benefit, or they must get a very large bounty from their Government. Our fisheries produced last year about five million dollars a larger sum than any previous year, and under the present Treaty must continue to increase. The hon. gentleman from Richibucto stated that the consumer paid the duty on mackerel. I contend it is not so, the Americans largely supply their own market, and their own and our fishermen may be said to fish side by side and carry them to the same market and realize the same price, but our fishermen have to pay a duty of \$2 per barrel on their catch. Our coal owners hoped to have the duty taken off or much reduced; that trade is not now yielding a fair return, and they think they have great cause to complain of the action of the other branch of this Legislature in sweeping away last session what was termed "the protective tariff, while negotiations were going on at Washington by the Commissioners upon an offer made by the United States Commissioners to admit coal, salt, and lumber free. So soon as the American heard of the passage that resolution, they withdraw their offer. Of this there can be no doubt, as it was clearly stated by the Minister of Justice in his place in the Commons. We see that the Americans have taken the duty off tea and coffee, and are paving the way for a cheap breakfast, so we cannot suppose they will long submit to have the fuel that cooks the breakfast taxed. It is the last article that should be subject to a tax. Lumbering operations are carried on to a large extent with us, and those interested hoped to have had the duty taken off, but notwithstanding the duty, we sell largely to the United States and this interest never was carried on as successfully as now, and new establishments are going up in different parts of the Province. Our farmers expected to have agricultural products free as heretofore as under the old Treaty, they found a good market there. I knew a friend of mine in Cornwallis, to have raised 500 bushels of potatoes off one acre of ground, which he sold at one dollar per bushel cash in his cellar. Is it

any wonder then that they would desire this market again open to them? But they have found a market in the West Indies and otherwise dispose of their products, and this interest is doing well. Our ship builders would have been very glad to have had our ships admitted to registry and the coasting trade opened to us, because we can build at a much less cost than they. It is generally believed that there are many British vessels owned by Americans registered in the names of British subjects. This branch of business is now, however, very successful and there is perhaps more tonnage now building in the Province than at any previous time. In the County of Hants, represented by the Hon. Mr. Howe, there are about thirty thousand tons building, and these are good vessels, and admitted to 1st class for 8 years, and a renewal of 4 years under certain conditions, and I may say that these vessels will be owned in the country, and all their earnings sent home from abroad to enrich our people. It is well known that Nova Scotia owns more tonnage than any other country in proportion to population, having more than a ton of shipping to every inhabitant, and I may add that the tonnage is increasing much more rapidly than the population. I may say in this connection, that as something has been said about Independence, the people of Nova Scotia do not desire it. The sails of our ships whiten every sea, and it is the Flag of Old England that gives them confidence and protects their interests when need be. The people believe that independence means annexation, that we could not stand alone. It would take a considerable portion of our revenue to pay Consuls abroad, and where would be the navy to back them up in time of need. In the Local Legislature there were four annexationists, but not one of them was re-elected at the last Election. This shows the feelings of the people. I was amongst those who thought that the abrogation of the Reciprocity Treaty would be an irreparable loss to us, but it has not proved so and I now think it was perhaps the best thing that ever happened. We used to sell to the Americans the raw material at first price and bring back manufactured articles at the highest prices they having all the advantage of manufacturing. Manufacturing establishments are now springing up all over the country and on a solid basis as we can successfully compete, the taxes are now so much higher in the States and there is now so much done by machinery that the high price of labor is not so great a difficulty as hereto-

fore and with our coal and iron and other resources we are now looking to a bright future in manufactures. I went across to Hull a few days ago and visited Mr. Eddy's establishment for the manufacture of matches, tubs, buckets, &c., and found that he gave employment to 2,000 people and its growth has been very rapid for the last six years. This Treaty will help us to build and complete, within the time I hope, the Pacific Railway. We have among us this session, for the first time, gentlemen representing Manitoba and British Columbia who would do honor to any Legislative Assembly, and judging the people by them we may reasonably expect much from that part of the Dominion. Now, hon. gentlemen I think with a good Government such as we now have and with well directed energies this Dominion has a bright future. The hon. gentleman for Parkerville said the other day that if he could only see Nova Scotia he would willingly die, but I tell him to come down to Nova Scotia we will be glad to see him, and will not bury him, but treat him well, and send him back I think better satisfied than ever with his country. We should miss his good face and humour from among us. Hon. gentlemen, you will always find the Nova Scotians a patriotic and loyal people, ready to make sacrifices for the general good. They believe that they live under the best system of Government that prevails in the world, and are ruled over by the best Sovereign that ever swayed a sceptre.

Hon. Mr. MACPHERSON—It is certainly rather difficult to continue a debate on a subject on which so much has already been said; but at the same time the question is of so much importance that I am unwilling to give a silent vote. I believe it will be advantageous to the country if there is great unanimity on this question, perhaps the most important that has ever been debated in this Parliament. I am one of those who cannot boast of being a recent convert to the desirability of this Treaty. I have approved of it from the first—not that I was altogether satisfied with it—not that there were not things in it that might have been more favorable for Canada; but I have looked upon it as more or less in the nature of a compromise. It is impossible for every party in the arrangement of such matters to have entirely his own way, and one feature in its favor to my mind is the fact that it is not altogether satisfactory to either side. In that respect it is like an arbitration. I must say that I did not expect that complete reciprocity would have been obtained by the negotiations—

the policy, the very necessities of the Americans obliged them to reject such a measure so far as concerns agricultural products. The civil war had entailed upon them burthens of the most serious character—it obliged them to impose heavy taxation, internal and external, many articles produced in the country itself were specifically taxed; and it was scarcely to be expected that whilst this was the case, they would allow Canadian products free into their own country. In 1866 the Reciprocity Treaty was repealed; under it the Americans had about the same rights as we are now asked to give them. We gave them the right to fish just as freely as they will have it from this time forward. Then the Treaty having been repealed we asserted our own sovereign rights to the fishing grounds, by requiring the people of the United States to pay a license for fishing, but we charged them a merely nominal rate. The question that presented itself to my mind was whether it was desirable to continue to exclude the productions of the fisheries from free markets in the United States, because we could not also obtain admission for our agricultural products into the United States. We were bound to accept reciprocity as far as possible, and the Treaty gives it as respects the Fisheries. I consider the admission of fish goes very far towards an equivalent for the right given to the Americans to fish in our waters. The Treaty goes still further, for it provides if the interchange of fishing privileges is not sufficient, then there is an arbitration to settle the difference between the respective concessions. I am enough of a free trader to take as much free trade as I can to begin with, and I believe we can best attain more perfect reciprocity by establishing an amicable state of relations with the United States. I believe that the continuance of our prosperity depends in a great measure on the amicable relations we have with our neighbors. Any one acquainted with the trade of the country will admit that the moment there was an apprehension that the Geneva Conference would break up confidence in the stability of our prosperity was disturbed. I would not make undue or unreasonable sacrifices when our national rights are in question, but I am quite certain that the Parent State would not ask us to ratify this Treaty were she not convinced that it is consistent with her honor and the advancement of our best interests. Numerically we are not the equals of our neighbors, we are 4,000,000 against 40,000,000; but at the same time we have our national rights, and I would be

the first to assert them when there is a necessity. I believe there is a sufficient sense of justice throughout the world to assist us in the assertion of our just rights in the time of our need. We must remember that the fishery stipulations are only to last for twelve years. We gave the Americans the right to fish on the payment of a small license fee, and there was at last great difficulty found in collecting it. Nevertheless we allowed them to fish in our waters without any return whatever for a number of years, because we hoped they would grant Reciprocity; but now we obtain admission for our fish, and the privilege (whatever it may be worth) of fishing in their own waters. It is true we receive no extraordinary advantages under the Treaty, but still we are benefitted to a moderate extent. The Mother Country has made sacrifices, she has consented to pay for the depredations caused by the Alabama as the Conference may decide. I think that is perfectly right. I have been always of opinion that the escape of the Alabama was a national mistake. No reasonable man can deny that our interests in preserving peace on this continent is greater than theirs. We must remember too that the whole question has been left to the decision of this Parliament—the first time we have had such a privilege conceded to us. If the interests of the people were sacrificed, Parliament could reject the measure, but we have had already elsewhere sufficient evidence of the feeling on this point. With respect to the St. Lawrence, a great deal has been said about the surrender of sovereignty—one would imagine that the very liberties of this country had been sacrificed, and yet all we give up to the United States is the right to navigate a small portion of the river which is actually un-navigable. The rapids there compel vessels to make use of the canals which continue exclusively under the control of Canada. It has been said by my hon. friend from Grandville, that if we give the Americans the right of navigating the St. Lawrence, we concede the canals. Now the fact is the navigation of the canals is reserved to us, for the Treaty says expressly—Article 27. "The Government of Her Britannic Majesty engages to urge upon the Government of the Dominion of Canada to secure to the citizens of the United States the use of the Welland, St. Lawrence, and other canals in the Dominion." What has been the policy of the country with respect to the Canals? To open them to the trade of the United States on the same terms enjoyed by our own people. These

works have been enlarged, and are to be improved, chiefly with the view of attracting the trade of the West; they are now beyond the actual requirements of our own internal traffic. Under these circumstances we will continue to offer every inducement to the Americans to make use of these public works. A similar provision was included in the Treaty of 1854, and that, of course, lapsed when the Treaty was repealed. We did not then close our canals, for we believed it was the wisest policy to keep them open on the same terms as before the expiration of the Treaty. With respect to the river itself it has been always practically open to Montreal, and by the Treaty it is to be nominally open from St. Regis to Montreal. This territorial concession is, therefore, virtually a worthless privilege. No one can urge the advisability of shutting up the river when it is actually for our advantage to make it the outlet for the surplus produce of the great West. I think the navigation of Lake Michigan should have been conceded on the same terms as the navigation of the St. Lawrence, but I have no doubt that the right we have given to the Americans to use our canals will always secure to us the right to navigate that Lake. Then there is the bonding system secured to us—it is true it must become of less value according as our railways are extended; but nevertheless it will be always a benefit to us. Then the trans-shipment privileges accorded by the Treaty are entirely new. It is held by the Americans that a voyage from Portland to San Francisco is a coasting voyage—it is a most extreme construction of the regulations; but those regulations are modified by the Treaty so far as our inland trade is concerned. With respect to the Fenian raids I intend to say very little. I think the course pursued by the United States with respect to those marauders has been one most unworthy of a great nation. We have always most strictly discharged our duties as a friendly neighbor; and therefore we must consider their neglect most discreditable to them, and I have no doubt that it will redound very much to their dishonor on the pages of history. With respect to these claims, our government could do no more than they did—we had no representative at Washington—any representations that we had to make must be through the British Government. Our Government pressed the claims of this country as strongly as they could, and then their power to effect anything ceased. I think they made the only arrangement that was open to them. The Bri-

tish Government assumed the cost of the raids, and I have no feeling against allowing England to bear it when the losses were not incurred through any fault of our own. These expenses were incurred because these misguided people thought they could best injure England by striking a blow at Canada. I have always held it would not have been an extraordinary stretch of liberality on the part of the British Government had they guaranteed the whole cost of the Canada Pacific Railroad. Such a guarantee would be invaluable to the interests of the Empire itself—it would tend to develop her strength on this Continent, and increase the prosperity of this great branch of the British family. England might have given this guarantee without a single risk on her own part, and it would have benefitted her in the end to an incalculable degree. So far from thinking that we are lowering ourselves by taking the guarantee of £2,500,000 we would willingly humiliate ourselves by taking a much larger one. (Hear.) I think the simple question at issue is whether we save anything by accepting this guarantee. If our bonds can be sold at as good a rate without it then of course there is no necessity for the guarantee; but we all know perfectly well that we shall save money and be in a better position to promote great public undertakings by accepting the guarantee granted to Canada by the British Government. (Hear, hear.)

Hon. Mr. HOLMES—I must take advantage of this opportunity of expressing my unqualified satisfaction with the policy pursued by the Government in relation to this important matter. I am of the opinion that this Treaty will in many respects be as great a benefit to the country as the Reciprocity Treaty decidedly was, and it is difficult for me to understand the reasons that prompt some hon. gentlemen to oppose the measure. We have a prosperous country, extending from the Atlantic to the Pacific, and abounding in resources, and I have no doubt whatever that the results accruing from the Treaty which we are about to ratify will give a great stimulus to its progress, and ensure its peace for many years to come.

Hon. Dr. CARRALL—I must ask the indulgence of the House for a few minutes whilst I give expression to some thoughts on this very momentous question. I had quite dismissed the question from my mind—in fact, I had heard so much about it, that I was beginning to be quite nauseated. Among the elite of Ottawa, in the hotels, in the House, in the press, everywhere it has been the Treaty.

Now to-day we have had the leader of the Opposition in this House arising in his place and disavowing his intention of moving an amendment to the second reading of the bill, and under these circumstances I feel the want of that stimulus which a fierce opposition to the measure would give me. Still, unable as I am to find new ideas to absorb, I feel obliged to follow the example of hon. gentlemen and say a few words with the view of incorporating my name on the roll of honor of those who vote for the Treaty. I must ask the indulgence of the House. I ask you to strain your generosity to the utmost, for the question has been so thoroughly discussed from the time that the master hand in another branch ushered it into birth that there is hardly a particle of a new idea left for me to evolve. But here I must let you into a secret. I confess that I have not heard all that has been said on the subject from the point of view that I occupied in the Senator's Gallery; for there are certain attractions sometimes in that place which are sadly apt to distract one's attention from the question of fish and fish oil. If I should then tread upon ground that has already been trodden, do not think that I am an intruder—a trespasser—for I do it unconsciously. I have been immensely amused at the attitude assumed in reference to the Treaty by the gentleman who monopolizes, directs, controls all the political machinery of the Opposition through the newspaper he owns; if I remember aright, he was only a short while ago in the Government himself, and left it because the Administration would not obtain Reciprocity. Now, when for the first time in the history of the British nation, a Colonist has been taken into the councils of the country, and permitted to direct Imperial interests—when we are through his instrumentality to obtain a certain amount of reciprocity, we find this same Mr. Brown assailing this able and astute Minister, who has achieved so much for the Dominion. It has been said that Colonial interests have been invariably sacrificed whenever Treaties have been arranged between Great Britain and the United States. It may be that Mr. Osborne sacrificed the interests of this country, and when told of his error, consecrated it simply by a tear; it may be that Ashburton sold some of our territory to Maine and made a bargain which would put money in his purse. Here, however, at last we have a Treaty which confers decided advantages on Canada; and that it is so, is because we had on the Commission one who was able to guard

our interests, and that was our Premier. I am suffering from a mental debility in consequence of the want of vigour displayed by the leader of the Opposition this afternoon. He said so little that I can take hold of, that I am really at a loss for new arguments to present to the House. I deny that we are called upon to make any sacrifice in accepting this Treaty. I only wish it was a sacrifice so that we might place on record our willingness to make any sacrifices for the sake of the glorious Empire to which we belong. Among the points that have been touched in the discussion of this question is British connection. I am among those who believe that the best minds of England are in favor of assuming a position that will prove that she is desirous of drawing closer and closer the ties that now bind together the British Empire. I believe that this country with its magnificent extent of territory and its invaluable resources has a great future before it, if we are only true to our best interests and preserve that connection which has been so beneficial to us in the past and must strengthen and assist us so materially in the career of prosperity upon which we have now entered.

Hon. Mr. ALLAN—I have no doubt that the House will be very much inclined to think that we have already heard so much on the Treaty that any lengthy speeches in this branch of the Legislature will now be superfluous. I am not anxious to define my own position, but there is a natural feeling on the part of anyone who is here in a representative capacity to state for the information of those whom he represents, the reasons that influence him to vote for a measure on which there may be considerable diversity of opinion. I desire very heartily to vote for this measure, because I consider that it tends towards establishing friendly relations between two great nations—between the Great Empire to which we belong and the Great Republic on our borders. The hon. member for Grandville stated to the House that he saw no force in an argument of that kind, because it was not plain to him that if the House rejected that portion of the Treaty referring to the fisheries it would interfere with the relations between the two countries in question. No one supposes that if the Legislature threw out the Bill there would be war immediately; but all of us must feel that so long as there are subjects of dispute to cause soreness of feeling between these great nations there is danger of hostilities arising between them. Therefore if it is in our power to do anything

towards establishing a good feeling between those countries, that is a strong argument to vote for any measure that may have that tendency. It is our duty as subjects of the Empire to which we belong to do all in our power to prevent any such contingency as I have foreshadowed. If that could only be done at the expense of some sacrifices to the country, Canadians should be the last to hesitate to make them. With reference to Canada being a source of weakness to England, I am convinced that I say nothing more than the truth when I state that the great body of the British nation is just as determined as ever, as long as Canada desires to be connected with the British Empire, to maintain that tie which now binds it to its dependencies. When we look back to the past and remember all that Great Britain has done for her colonies, and consider the many benefits they receive from British connection, we ought to feel that we should not hesitate to make sacrifices when England believes it necessary. We have heard it said that by passing this Bill we are conceding sovereign rights without receiving any adequate consideration inasmuch as we give up the fisheries and the navigation of the St. Lawrence. With regard to the navigation of the St. Lawrence, I contend that question has been fully disposed of. It has been shown by several speakers that this concession really amounts to nothing, while we must benefit our own trade by inducing the Americans to pass through our own canals. As respects the Fisheries, when one is in doubt on a question of that kind, one desires to hear the opinions of those who are most deeply interested in the matter. Having unfortunately been prevented from attending in my place until to-day, and being naturally anxious to follow the debates on this question, I read the discussion elsewhere with great interest. It does appear to me that the arguments used by gentlemen who really understand the question, show irresistibly that that part of the Dominion especially affected by this Act, is to receive undoubted benefits from its provisions. It has been said that the interests of Ontario have been sacrificed because one of the means which we had for obtaining reciprocity has been given away. I have always believed that when the United States repealed the Treaty, they were actuated a good deal by their feeling towards this country. Instead of entertaining the opinion that the passage of this measure is to prevent complete reciprocity, I believe that it will have the very contrary effect. There can

be no question that the Fishery rights have led to a great deal of controversy and irritation. I think so long as those rights were properly exercised we should be allowed to enjoy them. At the same time I conscientiously believe that if this Bill passes, and the Treaty arrangements are carried out, the feeling of friendliness towards us that will be engendered in the United States will ultimately lead to the adoption of reciprocity in the fullest degree. Much stress has been laid on the Fenian claims, that we were selling our honor for money—that we ought not to receive compensation for wrongs of that kind. I have been accustomed to think that as long as we remain subjects of the British Empire, the Imperial authorities are answerable for any matters of that character; and if they do not deem it advisable under the circumstances to press these Fenian claims, it appears to me that no discredit can be reflected on Canada. If there is any discredit at all, it must be thrown upon the Imperial Government for it alone is answerable. If the Imperial Government, then, in the interest of peace, decide not to urge these claims *à l'outrance*, let the responsibility rest upon them and not upon Canada. For my part, I cannot see that there is anything derogatory or offensive to our sense of national honor when England chooses to reimburse us for the losses we have sustained. For those and other reasons, which I will not weary the House by urging, I have much pleasure in voting for the second reading of the Bill now under consideration.

Hon. Mr. GIRARD followed and made a few remarks in French, expressive of the wish of the people of Manitoba to see peace ensured to the Dominion, so that it might continue in the career of prosperity on which it has entered. He stated it was his intention to vote for the measure.

The question of concurrence in the second reading of the bill being put, the same was resolved in the affirmative, and the bill was then read a second time accordingly.

The House adjourned.

WEDNESDAY, 29th May, 1872.

The SPEAKER took the chair at 3 o'clock.

Bills on the following subjects were read a third time:—Caughnawaga Canal, G. T. R. and Town of Galt, Detroit River Tunnel Co., Northern Railway Extension, Martin's Divorce Presbyterian Church Widows' and Orphans' Fund, Banks and Banking, Ex-

change Bank of Canada, Bank of Acadia, Maritime Bank, Hamilton Bank, and St. Lawrence Bank.

Bills respecting Quebec Frontier Railway, Canadian and European Telegraph Co., Savings-Bank of Toronto, Bank of St. John, Grand Trunk and Montreal and Champlain Railways, were read a second time.

The House went into Committee and passed the Bill relating to the Washington Treaty without amendment. The Bill was then read a third time and sent to the Commons.

FRIDAY, 31st May.

The SPEAKER took the chair at 3 o'clock.

Two Reports of the Committee of Contingent Accounts were submitted by Hon. Mr. SEYMOUR, and ordered for consideration on Monday next.

The following bills were read a third time and passed:—Bank of St. John, Grand Trunk Railway and Montreal and Champlain Companies, Toronto Savings Bank, Quebec Frontier Railway Company.

INSOLVENCY LAWS.

Hon. Mr. WARK moved that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause an inquiry to be made, under the direction of the Minister of Justice into the operation of the Insolvent Law, with the view of embodying such amendments as may be deemed necessary, in a bill to be submitted to Parliament at its next session.

In making the motion the hon. gentleman urged the necessity of making an amendment in the existing law. Whilst many persons objected to repealing it altogether, no one contended that it was not susceptible of improvement in many respects. The necessities of the country required the equitable distribution of a debtor's property among his creditors, and that the honest insolvent should be protected from the rapacity of any hard creditor.

Hon. Mr. McMASTER seconded the motion as necessary in the interests of the country.

Hon. Mr. DEVER rose to say that he hoped notwithstanding the very able and plausible speeches made on this subject, a few days ago, a house composed as this was, of gentlemen of long experience in commercial and legal matters would give the motion of the hon. gentlemen before them that wise, and thoughtful consideration to which he thought it was intitled. The British North American Act, gave us the

power, and the right to have an Insolvency Law for the benefit of all Canada. And here he would say that the present Law is both an Insolvency Law and a Bankruptcy Law, or in other words an Attachment Law, and an Insolvency Law as under the compulsory clauses of the Act a debtor not meeting his liabilities generally as they become due, or showing signs against his creditors of fraudulent intentions can be called on for a statement of his affairs, and if not found satisfactory to his creditors, a securing of his assets by an attachment can be had at once. And this is why the several Boards of Trade who are good judges of commercial questions are so desirous that the Act should be continued, feeling as they do, that it is a much safer law for general trade, than a mere Insolvency Law, which would only protect, or in the mild language of the day *relieve* the debtor. He would not say why it is a good and fair law such as this is, and passed only some three years ago, as a general law, for the several Provinces of this Dominion is now sought to be repealed by one of those spasmodic changes of thought—in a number of gentlemen—in the other branch of this Legislature who take it upon themselves to get up an excitement against it, and say it should be repealed even before it is quite time the parties most to be injured had a fair chance of becoming familiar with the benefits arising out of it to business men. And here again he would call the attention of this House to the fact that the United States had passed a similar law in March, 1867. It is intitled, "An Act to establish a uniform system of bankruptcy throughout the United States." This Act is now in force; it is so well adapted, and provides so carefully, that fraud shall be prevented and justice done in all cases, and so generally useful that it is more than probable it will be permanent, and without being repealed will be amended from time to time, as experience shows the need. It had an amendment passed to it, in 1869, which prevents a debtor from getting discharged unless his assets shall pay fifty per cent of the claims proved against his estate upon which he shall be liable, as the principal debtor, unless the assent in writing of a majority in number and value of his creditors be filed in the case at, or before the time of the hearing of the application for discharge. He would say it was suspicious to see gentlemen who helped to pass our law, in 1869, as a Dominion Law, seek now to get it repealed of their own motion, since he

was not aware that even one petition from the parties who had the best right to be judges on such commercial questions, had not asked for its repeal; but on the contrary nearly all the great centres of business through their respective Boards of Trade had asked that it may not be repealed; but that it may be continued, and amended if necessary. He would ask then that this motion may be well considered by this House, and the Government, so that the country will not fall back—by allowing this Law to expire—to that state of affairs which prevailed in the Lower Provinces before the passing of this uniform Law, which so enables the commercial men of the several Provinces of this Dominion to understand each other. Further he would say on the basis of our commercial credit, he would ask that the motion be complied with, and the Law continued, and thereby confidence given to men of means to advance their capital, and give that credit so essential for commercial activity. In answer to the arguments of some hon. gentlemen it was only necessary for him to say that under the several clauses of this law, it was utterly impossible for the dishonest debtor to act as described, and as he could, under the system of execution, because no unequal or preferential making of the assets—where commercial men know their business—can be sustained, but every creditor must share and share alike. In conclusion then, he would support the motion of the hon mover, and hoped every gentleman who loved fair play would act similarly, so as to keep a law continuing, that is now a Dominion law in contrast with the confusion the country will be in, if this Act be allowed to expire, and which to him would be going backward instead of forward—making again the laws of the several provinces of this Dominion dissimilar instead of national and uniform.

Hon. Mr. CAMPBELL replied that under any circumstances the Government intended taking the question of the Insolvency Laws into their consideration during the vacation, and would therefore willingly agree to the Address.

The motion was carried.

Bills on the following subjects were read a second time:

St. Catharine's Board of Trade, River Sydenham.

Hon. Mr. CAMPBELL, introduced a bill to amend the act respecting copy-rights

The House adjourned.

MONDAY, June 3, 1872.

Hon. Mr. BOTSFORD, [in absence of Hon. Mr. Cauchon] took the Chair at 3 o'clock.

THIRD READINGS.

The following bills were read a third time and passed:

To incorporate the British American Assurance Company.

To amend the Act respecting rivers and streams so as to apply to the river Sydenham.

SECOND READING.

On motion of Hon. Mr. REESOR, the bill respecting the London and Canadian Loan Agency was read a second time and referred to the Committee on Standing Orders and Private Bills.

COAST NAVIGATION.

Hon. Mr. McCLELLAN asked—Whether it is the intention of the Government to provide this Session, for the construction of a steam fog whistle on Cape Enragé, in the Bay of Fundy, in view of the dangerous character of the coast, and the increasing amount of vessels employed in said Bay? In making the motion, the hon. gentleman urged the importance of the service, and took an opportunity of expressing his satisfaction with the energy and vigilance displayed by the Department of Marine and Fisheries.

Hon. Mr. MITCHELL said it the Department deserved the thanks of the commercial community for its vigilance, due credit must be given to the subordinates. With respect to the enquiry he stated that the Government, whilst acknowledging the necessity for the fog whistle, were unable to provide it this session, but would certainly do so next session, should the country continue to give them its confidence. The Government were able to state they intended providing a fog whistle at Machias Seal Island in the same Bay.

Hon. Mr. WILMOT was glad to hear the intimation of the Minister on the latter point, for a steamer, had been lost on the island recently, and it was a very dangerous spot.

CONTINGENT ACCOUNTS.

Hon. Mr. SEYMOUR moved the adoption of two reports of Committee on Contingent Accounts. The first simply referred to the Clerk's account with the Senate from 1st February to 31st Decem-

ber, 1871, and reported it to be correct. The second report recommends that Antoine Alphonse Boucher, Esquire, the Senior of the French Translators be promoted to the office of Chief French Translator to the Senate, vacated by Robert LeMoine, Esquire, on occasion of his appointment as Clerk of the Senate. They recommend that Elizabeth Hewson be appointed and employed as a charwoman, The Committee also recommend that John Wingfield be appointed and employed as a Sessional Messenger, said appointment to date from the first day of this Session, since which day he has been doing duty as such, and on the reference made to the Committee on the twenty fourth day of April last, of the petition of C. W. Taylor, the Committee report that they cannot recommend that the prayer of the said petition be granted.

The reports were adopted.

The House then adjourned, after receiving several bills from the Commons.

TUESDAY, 4th June, 1872.

The SPEAKER took the chair at 3 o'clock.

PRIVATE BILLS.

Hon. Mr. DICKSON brought in report of Committee on Standing Orders and Private Bills, and moved that the quorum be reduced to five. Also that the petitions of Boards of Trade of St. Catherine's, St. John, Levis, &c., be referred back to the Committee for reconsideration.

These motions were adopted.

SECOND READINGS.

On motion of Hon. Mr. McLELAN a bill with respect to the Halifax Banking Company was read a second time.

On motion of Hon. Mr. BENSON a bill in reference to Dominion Water Works was read a second time.

COPYRIGHTS.

Hon. Mr. CAMPBELL, in moving the second reading of the bill to amend the law with respect to copyrights, expressed his regret that two gentlemen—Hon. Mr. Ryan and Hon. Mr. Sanborn—who had always taken a deep interest in the question were not present. For some time past addresses had been passed in the House with the view of bringing about Imperial legislation on the subject of reprinting British copyrights in this country. Certainly very many persons had been of opinion that the Imperial legislation on this question was an encroachment upon the privileges given to these colonies to

enjoy representative institutions to the fullest extent. Several copyright laws had in the course of time passed the Imperial Parliament, and were ultimately made to run into all the colonies. These laws prevented the republication of British copyrights in this country; but subsequently an arrangement was made to allow the importation into this country of American reprints of British copyright works on the payment of a duty of 12½ per cent., to be distributed among the authors of such works. This system, however, had been proved to operate prejudicially to the interests of Canadian publishers; and an effort had been made for some time past to obtain from the Imperial Government the right to reprint the works in question in this country. When the question was last brought up the hon. member for the Wellington Division (Hon. Mr. Sanborn) suggested that we might legislate directly on the subject, for he believed we had the power by virtue of the B. N. A. Act and the fact of our enjoying representative Government. He (Mr. C.) in accordance with the promise he made on that occasion, had brought the subject to the notice of the Minister of Justice and his colleagues in the Government, and it was decided to act upon the suggestion of the hon. gentleman just mentioned. The argument defining the position of the Government was stated in the preamble of the Bill—that there was no reservation with respect to copyrights when representative institutions were granted to this country—and that express power was given to the Dominion by the Union Act to legislate upon the subject. Some might say that the power was only given to the Dominion in contra-distinction to the powers given to the Provinces; but nevertheless, he believed the language was broad enough to embrace the power given in the present Bill. It was now proposed to allow Canadian publishers to reprint British copyright works on receipt of a licence from the Government. These works are to be registered with the Minister of Agriculture, and thereupon no foreign reprints of such works are to be allowed to be imported. An excise duty of fifteen per cent on the wholesale price of such works is to be collected and distributed for the advantage of the authors.

Hon. Mr. FERRIER said the Dominion ought not to be placed in reference to such works in a worse position than it is now. A duty of 12½ per cent. was at present collected on the wholesale price of American reprints, but now there was to be an excise duty imposed to the extent of 3 per cent. more.

Hon. Mr. BUREAU was very desirous to encourage home industry, but at the same time he saw danger in a Bill which disturbed the relations we at present enjoyed with the United States. More than that, he doubted whether we had the power to legislate on such a subject. The same difficulty might occur that arose in 1837, when the Special Council passed an Act to abolish Habeas Corpus. At that time a very distinguished lawyer, Judge Valliere, contended that we had no power to overrule Imperial legislation, and he suffered for expressing that opinion, but he was subsequently proved to be correct. We could not be too careful in dealing with matters of legislation, where we might come into conflict with Imperial authorities. He was in favor of a certain amount of protection to home industry, but there was always a danger that the principle might be pushed to extremes. He had no objection to the imposition of a small duty, but he believed the general principles of the Bill are antagonistic to the public interests. He could not too strongly urge the advisability of cultivating the most friendly relations with the United States, instead of exciting the hostile feelings of the publishing interest of that country. He deprecated any undue haste in dealing with such matters.

Hon. Mr. CHRISTIE pointed out some difficulties in the way of our dealing directly with the question.

Hon. Mr. WILMOT expressed himself desirous of sweeping away our present anomalous system which is so injurious to the interests of the publishers of Canada.

Hon. Mr. CAMPBELL did not suppose there is any reason to apprehend that the passage of the bill will interfere with the relations between Canada and the United States. He did not see any analogy whatever between the present question and the suspension of the Act of Habeas Corpus by the Council in 1837. He did not claim to be acting contrary to Imperial Legislation, but in pursuance of the express authority given to us. At the same time the Government wished to act with all caution, and had therefore inserted a clause declaring that the law shall not go into effect until there is a proclamation of the Governor to that end. The Government, however, hoped and believed the English law officers would come to the same conclusion they had, that Canada had the right to legislate with respect to such matters.

Hon. Mr. BUREAU contended that the case he had cited was directly in point, and again argued we had no jurisdiction in the matter.

The bill was read a second time.

MESSAGE.

A Message was received from His Excellency the Governor General with respect to the receipt in England of the Address expressive of the gratification of Parliament at the recovery of H. R. H. the Prince of Wales.

Several Bills were received from the Commons.

The House then adjourned.

WEDNESDAY, June 5.

The SPEAKER took the chair at three o'clock.

PETITION.

Hon. Mr. OLIVIER presented a petition of Mutual Fire Association of Stanstead against a bill to incorporate Agricultural Assurance Company of Canada, and it was read at the table, and then referred to Committee on Standing Orders and Private Bills.

PRIVATE BILLS.

Hon. Mr. DICKSON presented report of Committee on Standing Orders and Private Bills, favorable to reception of petitions from several Boards of Trade, and of J. Schultz and others, for railway objects. Also, on bills establishing St. Catherine's Board of Trade, and incorporating Inland Marine and Fire Insurance Company, and London and Canadian Loan and Agency, all of which were read a third time and passed.

COPYRIGHTS.

The House then went into Committee on the bill to amend the law respecting Copyrights.

Hon. Mr. OLIVIER in the chair.

Hon. Mr. CAMPBELL expressed the pleasure he felt that Hon. Mr. Ryan who had always taken so deep an interest in the question was present to give the House the benefit of his knowledge of the matter.

Hon. Mr. LETELLIER DE ST. JUST doubted the advisability of prohibiting the importation of books.

Hon. Mr. CAMPBELL said it was the invariable practice to prohibit importation of works which were copyrighted in England or the United States.

Hon. Mr. BUREAU contended that the bill, if passed, would not only be antagonistic to Imperial legislation but actually in conflict with a Treaty existing between Great Britain and France. The 15th and 17th sections of the Imperial Act expressly stated that the rights of British copyrights should extend not only to Great Britain, but to all parts of the British dominions; and yet it was now proposed to pass a bill in the face of that Imperial statute. He contended that even

if the British North America Act gave the power in question, and he denied that it applied to anything except Canadian copyright works—it could not be retrospective.

Hon. Mr. CAMPBELL said the very preamble of the Bill stated the reasons why the Government believed Canada could legislate directly on such a question. He knew the Act referred to was in existence, but it was contended that since it was passed the British Parliament had also passed the British North America Act, giving the Dominion power to legislate with respect to copyrights; and it was a well understood principle that when the Legislature expressed opinions at different times, the latest expression was to rule. The Union Act was broad, and applied to copyrights generally, and could not be limited as the hon. gentleman argued. As respects the Treaty with France, it could have no possible connection whatever with the matter before the House. That Treaty referred to French copyrights published in Great Britain; and he was surprised that the hon. gentleman should bring it up. Canada had representative institutions, and it was claimed by the member for the Wellington Division, and others that we had under these institutions the right to deal with such a question, and Imperial legislation could not affect us with respect to copyrights any more than it could in the case of patents. Under any circumstances, no harm could arise from the passing of the bill; on the contrary beneficial results must accrue for it would direct the attention of the British Government to the subject.

Hon. Mr. BUREAU again urged his view of the case.

Hon. Mr. RYAN expressed his astonishment that the hon. gentleman (Mr. Bureau) should oppose a measure which, should it come into operation, would be a great benefit to a very important branch of industry, especially in the city of Montreal. He showed that the bill had no reference whatever to the Treaty quoted by the hon. gentleman, and then went on to say that the Act of 1849 was passed with the view of benefiting the people of Canada; for at that time the publishing interest here was not able to compete with the same interest across the frontier in the production of cheap literature. The state of things, however, was now very different; and it was felt that the present system was very injurious to the publishers and printers of Canada. As an illustration of the energy with which this branch of industry is now prosecuted he mentioned Mr. Lovell of Montreal employs

some 500 persons, many of them females. That gentleman had recently been offered very strong inducements if he would remove his entire establishment to the United States. He expressed himself emphatically in favor of the bill before the House, and contended that it was as just in principle, and would operate most beneficially. The measure was in the interest of the British author as well as the Canadian publisher. Sir C. Trevelyan, backed by the opinions of leading English authors, warmly approved of the policy of Canada in this particular. He was satisfied with the opinion given on the subject by eminent legal minds in this country, and believed that the result of the reference to England would be satisfactory. He trusted sincerely that every gentleman in the House would do all in his power to promote the interests of a very important branch of industry which was now laboring under great disadvantage.

An amendment was added at the suggestion of the Hon. Mr. Ryan, making the excise duty *not to exceed* 12½ per cent on the wholesale value.

The Committee rose and the amendment was adopted by the House. The bill was then read a third time and sent to the House of Commons—the money clauses being first omitted.

SECOND READINGS.

Bills to incorporate Canada Agricultural Insurance Company, Levis and Sorel Boards of Trade, was read a second time.

After reception of several bills from the House of Commons,

The House adjourned.

THURSDAY, June 6, 1872.

The SPEAKER took the chair at three o'clock.

PILOTS.

Hon. Mr. AIKINS presented to the House a Return to an Address to His Excellency the Governor General dated May 1872, praying His Excellency to cause to be laid before this House, a copy of any correspondence which has taken place between the Department of the Marine and Fisheries and the Imperial Board of Trade in London, relative to the relaxation of the Rules and Regulations relating to the granting of masters' certificates of competency to Pilots on the Lower St. Lawrence.

PRIVATE BILLS.

Hon. Mr. DICKSON from the Committee on Standing Orders and Private Bills, reported favorably on "an Act to amend

the Act to incorporate the Canadian and European Telegraph Company."

Also on "an Act to incorporate the Dominion Water Works Company." These Bills were read a third time and passed.

Hon. Mr. HAMILTON, from Committee on Banking, Commerce and Railways, reported favorably on Bills respecting Halifax Banking Company and Great Western Railway. The latter was read a third time and passed.

THE CANADIAN PACIFIC R. R.

Hon. Mr. CAMPBELL, in moving the second reading of the Bill respecting the Canadian Pacific Railway, said that its object was perfectly familiar to hon. gentlemen, inasmuch as it carried out the arrangement contemplated at the time the Union was effected with British Columbia. It was suggested at the time the resolutions were passed last session, that a reasonable subsidy in money—some ten or twelve thousand dollars a mile—and a land grant of some 50,000,000 acres would probably accomplish the object we had in view. Many members in both branches of the Legislature were of opinion that a larger quantity of land would be required. Experience, however, had shown the Government that the object can be accomplished within the terms mentioned in the Bill. Those terms were \$30,000,000 in money, and 50,000,000 acres in land. The interest on the money was of course quite within the power of the Dominion to grant without at all unduly pressing upon the resources of the people. Fortunately for the Dominion, we were passing through a season of great prosperity, and we had every reason to hope that this enterprize will add to that prosperity. The other arrangements in the Bill were of a very simple character, and provided that the road shall be constructed by one or more companies. If it were necessary those companies could amalgamate, and failing that the Government could resort to some other means of getting the road constructed. The road at this end was to commence to the south of Lake Nipissing. Comparing our line with the Union Pacific, it would be found more easily constructed, while the natural features of the country are in every way superior. A large portion of the American line ran through an arid waste, while the altitude was several thousand feet higher than that of the Canadian Pacific will be. Under these circumstances our road could be constructed more advantageously by any company. It would be of course the object of such a company to settle their lands as rapidly as possible,

and in that way become actually immigration agents.

Hon. Mr. LETELLIER DE ST. JUST did not intend to oppose the bill inasmuch as we are bound to construct it in accordance with the measure passed last session, but he felt compelled to state some objections he had to the scheme of construction. He admitted that the natural features, as stated by the Hon. Postmaster General, were in favor of the Canadian line, but he thought nevertheless before we went into such an undertaking the Government ought to have more definite information than they have now with respect to its cost. If we compared the terms now offered with the actual cost of the American lines, it would be found that they would be entirely inadequate. He found that the whole cost of the Union Pacific and Central Pacific was some \$205,000,000. The cost of our road compared with the Union Pacific would be \$270,000,000; compared with the Central Pacific it would be \$205,000,000. As the \$30,000,000 offered by the Canadian Government was clearly inadequate for so great an undertaking he was afraid we would have in connection with the work a repetition of all the blunders we have had in the past.

Hon. Mr. AIKINS—What assistance did the American line receive from the Federal Government?

Hon. Mr. LETELLIER DE ST. JUST.—The Government under this Bill intend giving only some \$11,000 a mile. The Government of the United States, on the other hand, granted on the whole length of the Pacific line some \$30,000 a mile. We were actually to build our line for two-thirds less. It was true we were giving a larger amount of land, some 19,000 acres a mile. But the two roads in the United States had received the same advantages from the Government; they got on the average \$32,000 a mile in money, and 12,800 acres of land per mile. When we compared the distances of the lines, we must see that the Bill did not provide a sufficient amount of money. A large portion of the Central & Union Pacific roads ran over fertile plains just as our own line would. Of course when we reached the mountains we would also have to contend with difficulties. From the Lake of the Woods eastward we would find obstacles equal to those encountered by the Americans in constructing their two lines. He would not be surprised to find that the road would cost us in the end \$200,000,000 instead of \$30,000,000. It was easy enough to make estimates more favorable,

but our experience taught us to place little reliance on them, and he preferred being guided by facts like those he was quoting from the record of American railway construction.

Hon. Mr. MITCHELL—Was not the money grant of the American railways simply a loan?

Hon. Mr. LETELLIER DE ST. JUST.—That made no difference as respects the cost, though it might affect the Company. The contractors might be inconvenienced in the money market, but they would go on with the road and the cost of its construction would be no greater. He did not mean to urge we should not build our line, but what he wished to urge was that we should not be too hasty in undertaking what may hereafter seriously cripple our resources. We all knew that the Intercolonial Railway had made very slow progress so far. The estimates made by the original contractors were too low and the contracts had finally to be annulled. No one knew when the road would be finished or how much it would cost.

Hon. Mr. MITCHELL.—The road will be completed within the estimates of the Engineer.

Hon. Mr. LETELLIER DE ST. JUST said that it would be time enough to speak positively on this question when further progress was made with the road. As respects the general features of the bill, he did not see that they required any particular comments, but he must say that he regretted that the Government should go into so large an enterprise without actually knowing what it would cost. He spoke earnestly on the matter, because he did not wish to see the country hereafter precipitated into difficulties on account of our heedlessness in the present.

Hon. Dr. CARRALL took issue with the hon. gentleman as to the probable cost of the Canadian Pacific line. He had taken some pains to inform himself on the subject, and was of opinion that the road could be constructed on the terms offered by the Government. The money given by the United States Government was in the shape of a loan, whereas the bill under consideration offered an actual subsidy. He reminded the House that to British Columbia belonged the honor of originating the idea of this grand continental railway. It was true the matter had been talked of before, but it was not until the scheme of union was mooted that the railway project assumed a definite shape. We all felt that the Union could never be a reality unless we had the railway binding the two oceans together by indissoluble links of iron.

The construction of the railway would develop a noble extent of country; it would divert to the North West that stream of European emigration that had hitherto been directed to the South West. We had now territory enough but no population and the immediate result of the completion of the line would be to people that wilderness. He had confidence in the future of this country, and believed there was no danger whatever of embarrassing our resources in connection with this line. Even if it were to cost much more than anticipated, the country could afford it. The additional population brought into the country would soon enable the Dominion to meet the obligations incurred. He pointed out the superior advantages of the Canadian line in respect to the soil of the country, climate and altitude, as compared with the American lines. He referred to the great stimulus the line would give to trade with the countries of the China sea, and the benefit the Dominion would thereby receive. It would develop mineral resources now entirely dormant, and add immensely to the wealth of an already prosperous country.

Hon. Mr. LETELLIER DE ST. JUST said that calculating the 19,000 acres of land at \$1 an acre, and adding that to the \$11,000 of money we had \$30,000 a mile as the grant of our Government against the \$32,000 a mile given by the United States Government.

Hon. Dr. CARRALL—A dollar an acre was too little. He knew that the land would be worth from \$8 to \$30 an acre; and he spoke from his knowledge of its value on the Pacific line—through Nebraska for instance.

Hon. Mr. MITCHELL said that there were just two points on which he felt compelled to make a few observations. All confessed that we must pass the Bill in order to carry out in good faith the engagements of the Dominion with British Columbia. Even if we had not made those engagements public opinion was fully alive to the necessity of opening up the vast country to the North West. He contended that the terms offered by the Bill were amply sufficient to provide for the construction of the line. The natural characteristics of the route, as compared with the American line, were entirely in favor of the Canadian road. From seven to eight hundred miles of the American railway were through the American desert. According to the hon. member from Grandville, the American subsidy was \$32,000 a mile. Now the Canadian Government gave as a subsidy—not as

a mere loan secured by mortgage,—\$12,000 in money per mile—supposing the distance to be 2,500 miles.

Hon. Mr. LETELLIER DE ST JUST—The statement was made elsewhere by Sir George Cartier that the distance would be probably 2,700 miles.

Hon. Mr. MITCHELL based his statement upon the best authority, and that was the official report of the Engineer. The Americans gave some 12,800 acres of land, whereas we are to grant 20,000 acres a mile, and there could be no doubt whatever as to its very superior character. Those lands were well watered, abounding in mineral and other resources, and affording every advantage to a company who wished to embark in a profitable undertaking. The money grant and land subsidy together, therefore, amounted to a value of \$32,000, or a far larger sum when we consider the money is not a mere loan, and the land is greater in quantity and more valuable for settlement. Companies of the wealthiest capitalists in the country were now ready to come forward and assume the construction of the road on the terms offered to them. American capitalists were also equally ready to embark tomorrow in the same undertaking. In view of all these facts it was idle to say that the Government were to undergo any risk in legislating for the construction of a work which entailed no undue burdens on the Dominion, and which would in the future largely increase the wealth and prosperity of the whole country. As respects the remarks made by the hon. gentlemen on the subject of the Intercolonial Railway, he explained that it was a mistake to say that all the original contractors had broken down; for a number of them, the Messrs. Worthington among the rest, had completed or were carrying on the work in accordance with their first offers. After an experience of four years the Government were in a position to say that the cost of the Intercolonial Railway would be within the sum originally estimated by them. The Government had been obliged by public opinion to accept the lowest tenders, and had not been in the same position that private companies would be had they undertaken the construction of the road. On the whole, however, the work was progressing most satisfactorily, and nine-tenths of the line would be completed before eighteen months had passed away.

Hon. Mr. FERRIER said that he had been among those who had believed from the first in the advantages of Confederation, and he was now proud to know that

the results had borne him out. He had now no hesitation whatever in saying that the construction of the Canadian Pacific Railway was absolutely necessary to the development of our Western territory, and that Canada could safely enter on its construction under the terms offered by the Government. The grant of land and money together was amply sufficient to induce reliable Canadian capitalists to engage in the undertaking with every prospect of carrying it out successfully. He calculated the land at a dollar an acre, and that would give \$20,000 a mile; that sum together with the money subsidy, of \$12,000 would make \$32,000, or £8,000 currency per mile. Now he had before him the figures of the cost of the Grand Trunk Railway, and he found that the section between Richmond and Quebec, (and none of the sections exceeded the cost of that particular one) including land damages,—an important item which would be saved in the case of the Canadian Pacific—rolling stock, stations, &c., was £7,000 sterling a mile. In view of this fact, gentlemen must see that there could be no difficulty whatever in inducing companies to undertake the construction of line. The terms offered by the Government were far more favourable than those given by the United States; for in the case of the American Pacific line the loan granted to it still lay on the road as a first mortgage. He maintained that not a single dollar more will be required for the construction of the road than now offered. Similar predictions of financial embarrassment were thrown out at the commencement of Confederation, but we were never in a more flourishing condition than at present. He believed the Canadian Pacific Railway would be as beneficial to the development of the Dominion as the Grand Trunk road had certainly been.

Hon. Mr. BOTSFORD expressed his gratification at hearing the statements made by the hon. member from Montreal; for they certainly disabused his mind with respect to the cost of the Grand Trunk, and proved that that road had been constructed more cheaply than most colonial lines. It was quite clear that after the legislation of last year we had to pass a bill to this effect. He believed all the provisions of the measure were most favorable to the country, and were quite sufficient to achieve the object in contemplation. The terms, judging from the remarks made that day, were far more favourable than those given to the American lines. He congratulated the Government on the decision they had arrived at, to construct the road on a narrow gauge;

and that fact alone would lessen the cost of construction and working. Under all the circumstances he considered the bill as decidedly in the interests of the Dominion.

Hon. Mr. RYAN might refer to some details of the bill in Committee, but he must say that he thought with respect to the cost the best plan would be to strike an average between the high estimate of the hon. member for Grandville, and the very low one of the other gentleman near him (Mr. Ferrier). The House should recollect that the road had to be built in an entirely wilderness country, that supplies and labor had to be transported at a large expense. In the case of the Grand Trunk it had been built in a populous district. Iron, too, was vastly enhanced in price.

Hon. Mr. LOCKE said there was little use discussing the question inasmuch as the construction of the road was a part of the agreement made for the admission of British Columbia.

Hon. Mr. CAMPBELL regretted to hear his hon. friend opposite (Hon. Mr. Letellier de St. Just) convey the impression that this country had in the past embarked rashly in railway undertakings.

Hon. Mr. LETELLIER DE ST. JUST explained that he had merely said that there was a tendency to go beyond the estimates in public enterprizes.

Hon. Mr. CAMPBELL said that there was no country which had its railways at a less burthen upon the people than Canada at the present moment. We had given a certain sum of money to the Grand Trunk Railway, and a smaller amount in the case of the Northern Road, but our total liabilities in connection with railway enterprizes were insignificant compared with what they would be had we done as other dependencies, and guaranteed a certain amount upon the capital expended in constructing such works.

Hon. Mr. McDONALD (British Columbia) expressed his gratitude at the willingness displayed by the House to carry out the agreement with British Columbia in the most perfect good faith. The people of that colony, whilst believing the railway would be a great advantage to them, at the same time looked upon it as a grand national undertaking, intimately connected with the future prosperity of the whole Dominion. Looking at the harbors of the East and West, and at the vast resources of the country lying between the two oceans, it was easy to see that the railway would be of incalculable benefit to the commerce of the Dominion. He referred to Mr. Fleming's report to

show the strong reasons we had for building the road, and then went on to state he had heard the remarks of Hon. Mr. Ferrier with very great pleasure, as that hon. gentleman was well understood to be an excellent authority on matters of railway construction. We all knew that in these days of enterprize and rapid commercial development, undertakings which would not have been dreamed of a quarter of a century ago were commenced and carried out with remarkable rapidity. Even if we had only half a day's advantage in our favor, the preference would be given to our line over other routes, so great was the demand for despatch in the markets of the world. In constructing the work, we would necessarily bring in a large population to develop the country which was now a wilderness, and thereby increase the wealth of the Dominion from the Atlantic to the Pacific Oceans. The scheme of uniting the two oceans had been talked of for a century, but it was only now that it had assumed a definite shape, and was likely to become a reality.

Hon. Mr. HOLMES would not discuss the question, inasmuch as public opinion was unanimous as to the necessity of going on with the road.

The Bill was then read a second time.

SECOND READINGS.

The following Bills were read a second time:

Bill respecting Wesleyan Methodist Church in Canada.

Bill incorporating Toronto Corn Exchange Association.

Bill incorporating Accident Insurance Company.

The House adjourned, after receiving two Bills from the Commons.

FRIDAY, June 7, 1872.

The SPEAKER took the Chair at 3 o'clock.

Bills respecting Canada Agricultural Insurance Company, Sorel Board of Trade, Halifax Banking Company, and Lewis Board of Trade, were read a third time and passed.

AGRICULTURE.

Senator WARK made the following motion, and urged the necessity of stimulating agriculture by reference to the steps taken in that direction in other countries. Private enterprize had done much to improve farming in England, but our circumstances were different, and it was best to follow the example of the United States. In each State there

were local boards assisted by grants of public money. Some years ago, in 1862, an Act was passed by Congress to establish a Department of Agriculture, the duty of which is to promote the interests of agriculture by circulating important information, collecting statistics, distributing seeds and plants, and so on. The Commissioner had to make annual reports and direct and control the expenditure of money voted by Congress for the promotion of agriculture. He referred to the last report of the Department, and showed how extensive was the staff of the Commissioner and the value of the work that it accomplished. We could not yet expect to do all that they were doing in this particular in the United States. For instance, an Act had been passed to grant public lands for the establishment of colleges in each State for the education of the people in agricultural and scientific subjects. In Canada we should expect the Minister of Agriculture to devote henceforth more attention to an interest which has never yet received the consideration it should. Statistics ought to be collected with the view of informing mercantile men and the people generally as to the state of the crops. He would also have information, at the same time, gathered in connection with the fisheries. He would also establish a system of scientific experiments with the view of showing causes of exhaustion of the soil, and otherwise educating the people as to the best mode of farming. He was afraid that unless the system of agriculture is changed in Canada and the United States, the land in many places will be thoroughly ruined, and the country impoverished in the course of time. The exodus of population from Quebec to a certain extent might be traced to this very cause. The question was well worthy of the attention of philosophers and statesmen, whether we could not arrest this impoverishment of the soil. The fisheries of this country had received more consideration than the agricultural interest at the hands of the Government. Commerce was assisted by building canals and improving navigation. Looking at the large number of persons engaged in agriculture, the capital embarked in its pursuit, and the value of agricultural products, it was time that the Minister of Agriculture should turn his attention to the subject. He would therefore move

That the importance of the agricultural interests of the Dominion renders it desirable that such measures should be adopted as will enable the Minister of Agriculture to make the advancement of

that great source of national wealth the leading object of his Department.

Hon. Mr. WILMOT in seconding the motion, said that there was no doubt that the Minister of Agriculture should really get up some return more interesting to the farming interest than that he annually issued. He referred to the census of 1861 to show the importance of the agricultural interest as compared with other branches of industry in this country. He urged the collection and dissemination of such information as would promote agriculture.

Hon. Mr. BUREAU referred to the Agricultural development of the Province of Quebec and showed that it compared most favourably with other countries.

Hon. Mr. LETELLIER DE ST. JUST quite agreed as to the importance of the question, but it was a mistake to say that there was an inferior system of agriculture or an inferior soil in Quebec.

Hon. Mr. WARK explained that he said that it was not improbable that many families had been forced to leave parts of Quebec as well as the New England States on account of the soil having been exhausted by an injudicious system of agriculture.

Hon. Mr. LETELLIER DE ST. JUST was glad to hear the explanation, and went on to say that the motion was not sufficiently explicit and appeared to reflect on the Minister of Agriculture. He thought the resolution should be more specific, and define what duties should be undertaken by the Department.

Hon. Mr. CAMPBELL said that he agreed with his hon. friend opposite that no practical object could be effected by the passage of the motion. He supposed that the honourable gentleman had attained his object by drawing the attention of the House and country to a very important question, and would not press his resolution which could at present have no practical effect, and seemed to reflect somewhat on the Department.

Hon. Mr. WARK only wished to strengthen the hands of the present Minister of Agriculture, who, he believed from what he heard, would endeavor to make the Department beneficial to the Agricultural interests of the Dominion. He consented to withdraw his resolution.

TEA AND COFFEE DUTIES.

Hon. Mr. CAMPBELL moved the second reading of the bill to repeal the duties of customs on Teas and Coffees.

Hon. Mr. RYAN said that he had seen it stated that the United States Government in taking of the duty from tea had

excepted teas imported from any place eastward of the Cape of Good Hope.

Hon. Mr. CAMPBELL said the hon. gentleman with his usual accuracy had stated the fact. The Government were considering the matter and would be prepared to deal with it.

FRAUDULENT MARKING.

Hon. Mr. CAMPBELL moved second reading of the bill from the House of Commons with respect to fraudulent marking of merchandize, almost a transcript of the English law on the same subject. Carried.

PRINTING.

Hon. Mr. LOCKE moved adoption of fifth report of the Joint Committee on Printing, ordering printing of certain public documents, &c. Carried.

CANADIAN PACIFIC R. R.

House then went into Committee on the Bill respecting the Canadian Pacific R. R.

Hon. Mr. BENSON in the Chair.

An amendment was made, on motion of Hon. Mr. RYAN, to the 3rd clause.

Committee rose and reported.

The report was adopted, and the Bill was read third time and passed.

DUAL REPRESENTATION.

Bill from the House of Commons respecting Dual Representation was made Order of the Day for Monday, as it was not printed in French.

BOARD OF TRADE.

Bill from the House of Commons incorporating St. John Board of Trade was read second time and referred to Committee on Standing Orders and Private Bills.

A large number of Bills were received from House of Commons.

House adjourned until Saturday evening, at half-past seven.

SATURDAY 8th June, 1872.

The Speaker took the chair at eight o'clock.

BILLS OF EXCHANGE, &c.

Hon. Mr. DICKSON moved the second reading of the Act to amend the law relating to Bills of Exchange and Promissory Notes.

Hon. Mr. BUREAU objected to the bill as in violation of general usage and law of the mercantile community.

Hon. Mr. CAMPBELL explained that he had conceived the same ideas with respect to the bill, but

upon enquiry he found that the bill was not so objectionable in the particulars supposed.

It was agreed at his suggestion to read the bill a second time, and refer it to the Committee on Banking Commerce, and Railways, who could consider its merits.

PRIVATE BILLS.

Hon. Mr. DICKSON reported favorably for the Committee on Standing Orders and Private Bills, on the Bills incorporating Accident Insurance Company of Canada; incorporating Missionary Society of the Wesleyan Methodist in Canada, incorporating St. John Board of Trade; all of which were read a third time and passed.

FRAUDULENT MARKING.

The House went into Committee of the whole, Hon. Mr. McDONALD in the chair, and passed the bill with respect to fraudulent marking of merchandize.

The Committee rose and reported progress—

Hon. Mr. RYAN having raised some doubts as to the operations of the bill.

RAILWAY BILL.

On motion of the Hon. Mr. OLIVIER the House agreed to the amendments made by the Commons to the bill respecting the Quebec Frontier Railway. The bill was then read a third time and passed.

SECOND READINGS.

The following Bills from the House of Commons were read a second time:

Ontario Shipping and Forwarding Company Bill.—Hon. Mr. AIKINS.

Chatham Board of Trade Bill.—Hon. Mr. BENSON.

Anticosti Company incorporation Bill.—Hon. Mr. PRICE.

Manitoba Bank Incorporation Bill.—Hon. Mr. GIRARD.

Polling Districts in Inverness, Nova Scotia Division Bill.—Hon. Mr. CAMPBELL.

St. Lawrence International Bridge Bill.—Hon. Mr. MACPHERSON.

Montreal Telegraph Company extension Bill.—Hon. Mr. RYAN.

Superior Bank of Canada incorporation Bill.—Hon. Mr. CAMPBELL.

Coteau and Province Line Railway Bill.—Hon. Mr. SEYMOUR.

St. Clair River Railway Bridge and Tunnel Bill.—Hon. Mr. BENSON.

Voters Lists for Elections in Nova Scotia Revisal Bill.—Hon. Mr. CAMPBELL.

The House then adjourned.

MONDAY, June 10.

The SPEAKER took the chair at 3 o'clock.

BILLS.

Hon. Mr. HAMILTON, from Committee on Banking, Commerce and Railways, reported favorably on Bills: An Act to incorporate the River St. Clair Railway Bridge and Tunnel Company.

An Act to incorporate the Coteau and Province Line Railway and Bridge Company.

An Act to incorporate the Superior Bank of Canada.

An Act to extend the Powers of the Montreal Telegraph Company.

An Act to incorporate the Anticosti Company.

An Act to incorporate the St. Lawrence International Bridge Company.

An Act to incorporate the Detroit River Railway Bridge Company.

An Act to incorporate the Ontario Shipping and Forwarding Company.

All these Bills were read a third time and passed.

Hon. Mr. DICKSON, from Committee on Standing Orders and Private Bills, reported favourably on Bills:

An Act to incorporate the Toronto Corn Exchange Association.

An Act to incorporate the Montreal and Chatham Board of Trade.

An Act to change the name of District Permanent Building Society of Montreal.

These Bills were read a third time and passed.

DUAL REPRESENTATION.

Hon. Mr. BOTSFORD moved the second reading of the Bill from the the House of Commons, with respect to Dual Representation in Parliament. In making the motion he said that he thought the principle established by the Legislatures of New Brunswick and Nova Scotia with respect to dual representation—that the Local Legislatures should be freed from any direct connection with Parliament—was correct and judicious. He was not aware of any change of opinion in the Province of New Brunswick on the subject. Under these circumstances he was favorable to the Bill.

Hon. Mr. LETELLIER DE ST. JUST said that he objected to the bill, because it was partial in its operation, and he believed unconstitutional in character. He did not understand why the Provinces of Quebec, British Columbia, and Manitoba should be exempted from its provisions, whilst it applied to Nova Scotia, New

Brunswick, and Ontario. He was convinced that the members of the Government themselves would never have brought in a measure of such a character. It did not effect—a should be the tendency of all legislation of Parliament—an assimilation but actually a division of powers—for it sought to give to some what was not extended to other Provinces. If there was to be no duality of representation, let the Parliament pass a general law applicable to all the Provinces, and he would give it a favorable consideration, but he looked upon the bill as embodying a wrong and partial principle. He was even prepared to doubt the constitutionality of the measure, inasmuch as it was outside of our constitution to pass an Act which related to arrangements made by an inferior legislative power. In fact, Parliament was asked by the bill to delegate to an inferior authority the completion of a law. The constitution put into the hands of Parliament the sovereign power of controlling the representation of itself, but now they were asked to make it subordinate to the legislation of a Local Legislature. In this connection he referred to eminent American authorities to show that the bill was an infringement of the constitutional rights of Parliament, and called upon the Government to consider the question carefully before allowing it to proceed further. He did not wish to see personal or private legislation introduced into the Houses, and it was notorious to every one that the present bill was open to such an imputation. Whilst the bill concurred with the local enactments passed in New Brunswick and Nova Scotia, it did not agree with the law passed in Ontario, where the local legislature had limited the time when the duality shall come into operation. It was well known that the object of the bill was to strike a blow at two prominent men in another branch, and he must express his strong disapproval of such personal legislation. When three provinces, representing three-fifths of the population of Canada, had declared against dual representation it was the duty of the Government to bring in a measure which will not be personal in its nature, but general in its operation. The second clause was a very extraordinary one for it gave great power to a person who might be the mere tool of a Government and disposed to use his authority unjustly and arbitrarily. The returning officer could strike off all the votes of a candidate, and in fact exercise judicial power. If he was a strong partisan he was in a position to suit his party ends as

he wished. This was a bill which ought to be considered carefully by the Senate and rejected as injurious to the public interests. It was for the Senate, which should be under the influence of cool and moderate counsels, to prevent any unjust measure which had passed the lower branch from becoming the law of the land. It was for Parliament to declare who shall sit in its own body; the local legislatures had the right to arrange its own representation; but he did not wish to see Parliament going beyond its functions and passing legislation, neither equitable in its operations nor constitutional in its provisions.

Hon. Mr. CAMPBELL replied that in approaching the discussion of the question every member of the Senate must be anxious to take no step which would touch the rights and privileges of the other branch of the Legislature. All remembered when a Bill affecting the Senate had been introduced elsewhere a large majority upheld the rights and privileges of that branch. The members of the Senate occupied a very different position from those in the other House. The Senators were appointed for life, if a disability attached to them it was for life. There was no reason whatever why a member occupying a seat for life should be debarred from all offices of honor under the Crown. He did not think any member should be cut off from such position; the non-member for Montreal (Hon. Mr. Ryan) had acted as Commissioner to the West Indies and no one surely could say that he was thereby disqualified from continuing in the upper branch. He was quite sure that gentlemen in the Senate would be equally reluctant to interfere in any way with the rights and privileges of the lower House. The present bill referred exclusively to the circumstances under which the House of Commons had decided members should sit in that body, and he for one was not disposed to interfere with legislation which it was the exclusive privilege of that branch to pass. If the suggestion of the hon member for Grandville was adopted and the Senate should interfere with the rights and qualifications of the Commons then an invitation was extended to the latter to pursue the same course in relation to the Upper House. He did not consider the constitutional argument of the hon. gentleman as sound or tenable. That hon. gentleman had attacked the bill as unconstitutional and then went on to say that he would not object if it were made applicable to Quebec and the other Provinces, but he

seemed to forget that even were it so the constitutional difficulty would remain.

Hon. Mr. LETELLIER DE ST. JUST explained that he contended that the Parliament of the Dominion had a right to declare who shall be elected to the House, by a general law, without interfering with the Local Legislatures.

Hon. Mr. CAMPBELL went on to say that Parliament was not governed by the rules which were laid down by the constitution of the United States—not by doctrines applicable to the relations between the Federal Government and the different States—but by the Constitutional Act of 1867, which said in direct English that Parliament had full power to legislate upon the subject. He did not understand why a man should not say distinctly before he became a candidate for Parliament, whether he had resigned his seat in the other legislature, especially when there was an act of that legislature preventing him from sitting in both. Why should the country be put to the expense and inconvenience of what might be a mere sham election? The hon. member had stated that the bill was aimed at two gentlemen in the other branch, and tried to connect the Government with its initiation. He ought not to make such an assertion after the statement positively made elsewhere, that the Bill was introduced without the knowledge, or consultation with the Government. The same gentleman (Mr. Costigan) had brought forward a similar bill last session. The hon. gentleman opposite forgot that the measure would not affect merely the seats of two, but of several gentlemen in the House of Commons. It was urged that extraordinary power was given to the Returning Officer, but it was now the law that the votes of a disqualified candidate could be struck off. The bill was only intended to apply to those Provinces which, by their own free will, had legislated on the question, and he could not see any reason why it should not be passed by the House.

Hon. Mr. WILMOT said that he had always been in favor of Dual Representation, and had not seen anything since 1867 to induce him to change his opinion. He was not in favor of changing the legislation of Ontario—it would be an improper interference with the Local Legislature.

Hon. Mr. CHRISTIE said that he failed to discover that the Postmaster General had answered the argument of the hon. member from Grandville who had declared that the bill was unconstitutional because it made the legislation of Parliament contingent on the action of the Local Legislature. The hon. gentlemen had said

that the American authorities quoted by the hon. member from Grandville had no relation to the subject, inasmuch as they referred to republican institutions. Now the principles of American legislation were based on principles of British legislation—they were essentially the same. The Provincial Legislatures in relation to the Federal Parliament might be compared with the State Legislatures in relation to Congress. The hon. gentleman here read from the authorities quoted by hon. Mr. Letellier de St. Just, to show that they were exactly in point, and then went on to say that the precise effect of the bill ought to be declared in plain English—that any persons in New Brunswick, Nova Scotia, and Ontario shall not sit in the House of Commons if they are disqualified by the act of the Local Legislature, but that nevertheless persons similarly situated, from Manitoba, British Columbia, and Quebec, shall be eligible to sit in the general Parliament. He considered it perfectly legitimate for the Senate to reject the bill if it should deem such a course advisable notwithstanding what the Postmaster General had said against any interference with the rights of the other House. The Senate was one of the Estates of the Dominion, and all measures had to come under its supervision; and he for one was not willing to see that branch become a mere cypher, a mere recording body. He held it one of the special duties of an Upper Chamber that it should interfere with any measure that was partial and personal in its character. He found that there were in the House of Commons four members of the local Government and thirteen members of the local legislature of the Province of Quebec. Two members of the Legislative Council of Quebec were in the Senate. The Speaker of that body was also a member of the Legislature of that Province. Referring to the Province of Manitoba he found that one member of the Local Assembly was in the Senate, and two members of the same body were in the House of Commons. This state of things was not interfered with, but when we came to the Province of Ontario, the case was very different—the members of the Local Legislature are not to have the right to sit in Parliament. So far as Ontario was concerned, the Bill went further than the Legislature of that Province contemplated when it passed its local Act, and that fact of itself showed conclusively that Parliament was now asked to step beyond its jurisdiction and interfere unnecessarily in local legislation. He objected most emphatically to giving judicial power to the returning officer, as provided

for under the bill—a power not given him by any other statute ever passed. If the returning officer acted unjustly what redress would the candidate have?

Hon. Mr. CAMPBELL said that he could petition, and have the case examined by the Committee on contravened elections.

Hon. Mr. CHRISTIE said that he could not appear before the Committee, for it might be that he was not even recognized as a candidate—he might not even be nominated. Such a case was very likely to happen, there had been cases of returning officers actually returning themselves. He was opposed to dual representation, but he certainly could not support a measure which was at once partial and unconstitutional in character.

Hon. Mr. MITCHELL said that when the subject of dual representation came up in the legislature of New Brunswick, unlike his hon. friend behind him (Mr. Wilmot) he had been in favor of the policy which was then adopted by that body. He was not going to question the propriety of the course pursued by the legislatures of Quebec, Manitoba, or British Columbia, but he was clear on this point, that if one Province of the Dominion chose to adopt the policy of abolishing dual representation it was only right that Parliament should as far as possible carry out the wishes of the majority in that Province. He thought the constitutional point raised by the Opposition to the measure had been fully answered by the remarks of the Hon. Postmaster General. This legislation, now asked for, was not dependent upon a contingency—upon the legislation of the Province. If the bill contained a provision that the Act should not go into operation until something was done by the Legislature of Ontario, then it might be considered a contingent legislation. He found that in three of the Provinces a policy had been laid down by the legislature as to the men who should sit in the Assemblies, and the present law was intended to apply to that state of things—to carry out the spirit and intention of the local statutes. The hon. member who last spoke (Mr. Christie) had said that he knew of no statute where a judicial power was given to a returning officer as was the case in the bill. Now by reference to the legislation of New Brunswick it would be found that there was a law on the statute book, in which the Returning Officer had the power given him to declare a candidate disqualified to be voted for or returned in case he did not place his declaration of qualification in the hands of the former within a certain

time. As a member of the Government he denied most emphatically having initiated any legislation with the view of affecting the seats of particular gentlemen in the other branch. The Government had not, directly or indirectly, inspired the measure, they had simply dealt with it as they dealt with every question which came before them, as public men bound to give every subject their most careful consideration. He, for one, would be sorry to see the gentlemen in question excluded from Parliament, as it was advisable to have in that body the best men we could have. As respects the probability of an injustice being done to a candidate by a returning officer, it must be borne in mind that he had his right of appeal to a Committee of the House.

Hon. Mr. CHRISTIE—How can a person who is declared ineligible to appear as a candidate come before a committee—he is not recognized?

Hon. Mr. MITCHELL—Every person has the right of petitioning Parliament and asking for redress. If a candidate was improperly excluded by the returning officer he could petition Parliament and obtain a remedy. The bill was no interference with local legislation, the Parliament simply defined its own rights and expressed its wishes with respect to its own representation. He referred to the Election Law to show that the rejected candidate had a right to appear before the Committee of the House. Under any circumstances, he contended it was not unusual to legislate for one province differently from another. The ballot was still in operation in New Brunswick, whilst open voting was retained in Quebec and Ontario.

Hon. Mr. LETELLIER DE ST. JUST—The Government did not find themselves strong enough to bring in a general measure respecting the mode of conducting elections.

Hon. Mr. MITCHELL—The Government professed to govern in accordance with the "well understood wishes of the people." The Government would not attempt to interfere with those rights and privileges to which the people of a Province professed an attachment. No one denied that the Senate should criticize and deal with every measure that came up from the other branch, but what the Hon. Postmaster General urged was that the Senate should not interfere unduly with a measure of a special character, affecting the interests and privileges of gentlemen in the Commons.

Hon. Mr. LETELLIER DE ST. JUST said that whilst the hon. gentlemen op-

posite professed a great indifference, they certainly displayed a large amount of earnestness—in fact, excitement,—whilst discussing the question.

Hon. Mr. MITCHELL said that the Government discussed that measure as they did all public acts with earnestness; but they did not instigate the Bill.

Hon. Mr. LETELLIER DE ST. JUST contended that the Bill was only establishing partial legislation, and that the duty of the Senate was clearly to reject it. He did not understand the argument of the Hon Postmaster General, that the Senate should not interfere with such a question.

Hon. Mr. CAMPBELL had only referred to the expediency or propriety of interfering with a measure of that kind.

Hon. Mr. LETELLIER DE ST. JUST said that the application of the elective principle to the old Legislative Council had been mooted in the House of Assembly. He did not see why the Senate should not declare what was best for the general welfare of the country. The Government were aware that the bill was partial and exceptional in its character.

Hon. Mr. CAMPBELL—The Government knew nothing of the kind.

Hon. Mr. LETELLIER DE ST. JUST—Well the press of the country had revealed the motive at the bottom of the measure.

Hon. Mr. MOLELAN said that the Legislature of Ontario went as far as it could to declare against dual representation, but it could not define the qualifications of a candidate for the House of Commons, and therefore it was left for Parliament to perfect the legislation on the question. He referred to the practical workings of a similar measure in Nova Scotia to illustrate some of the effects of the Bill.

Hon. Mr. REESOR said that it was not a matter of surprise that the Minister of Justice had not voted for the Bill, for he must have had his doubts as to its constitutionality. By reference to the Constitutional Act it would be seen that the Local Legislatures had exclusive jurisdiction over the property and civil rights of the Province. It was obvious that it was an interference with such rights to tell them that they should not send the candidate they chose to the House of Commons. A question might also be raised as to the propriety of having one person elected for two constituencies, and allowing him subsequently to select his seat. That privilege which had existed from time immemorial was more extraordinary than the one which would allow one person being elected for two Legislatures. He had been always opposed to

interference with the rights of the people, and believed they should exercise the privilege of electing men to both Legislatures; for he believed there would be many cases where such a provision would be beneficial to the public interests. The present Bill went still further than the law of Ontario, and limited the selection of a candidate by a constituency. If a constituency favored a particular candidate for the House of Commons, he could be elected under the law of Ontario as it now stands, but if the Bill was passed then he must first resign his seat in the Ontario Legislature. If he was not returned, then the country would lose the benefit of his services altogether.

Hon. Mr. McMASTER said that the Government repudiated all connection with the Bill, but it was a remarkable fact that the gentleman who proposed the same measure last year was opposed by them, while this session they pursued an entirely different course. The warmth displayed by members of the Government in discussing the question showed how much interest they took in the matter. It would be remembered that the late Premier of Ontario strongly opposed the rejection of the principle of dual representation, but public opinion became so strong at last that he was forced to yield to the extent of providing that the members of the Local Government should not be elected to seats in the Dominion Parliament. When the present Premier of Ontario came into power he brought in a measure stipulating that dual representation should be abolished, but it was not to go into operation until the new Parliament was elected. Under that Bill no member of the Local Legislature, whether connected with the Government or not, could sit in the Commons, but until Parliament met the members of the Local Government could retain their seats in the Local Legislature—they might remain there for one session, in fact. Now the present bill set aside that act, and he would not vote for it inasmuch as it was, in his opinion, a most unwarrantable interference with the rights of the Local Legislatures.

Hon. Mr. BUREAU only wished to add a few remarks to show the imperfections of the Bill. The provision giving power to the returning officer was without precedent, and must have the most injurious results. Power was given to that officer to decide, without appeal, if a candidate is eligible or not in the sense of the bill. The first section stated that no person shall be eligible to or capable of being nominated for the House of Commons; if on the day of nomination he is a

member of the Legislative Council or Assembly of any Province where dual representation has been abolished. Now suppose a member of one of these Local Legislatures should place his resignation in the hands of the Speaker, as is the custom, in order to qualify himself to appear as a candidate for the Federal Parliament, and suppose the Returning Officer thought proper to ignore or pretend to ignore such a resignation. Would it not be possible for an unscrupulous Returning Officer to deny the authenticity or legality of this resignation? The experience of the past ought to put us on our guard. What authority was proposed to regulate the dispute between the Returning Officer and the candidate in question? On a matter of such grave moment it was not even proposed to allow the same protection which the humblest person was able to demand at the hands of the tribunals of the Dominion. Yet the Government were willing to assume the responsibility of such dangerous legislation. In fact, if we examined the arbitrary provisions of the bill, with the Act providing for the independence of Parliament, any one must be convinced of the truth of his assertions. The Act set forth that no one shall be eligible or shall take his seat or vote, if he shall be disqualified according to the Act. These were also the same terms used by the Legislature of Ontario during its last session. Is the Returning Officer, in either case, constituted the sole judge. No. Yet the Government on the eve of a general election supported a measure so novel and impolitic. The Hon. Postmaster General had said the bill would save expense, but that was an error; for should it happen that the returning officers should be summoned to the bar of the Chamber, every day devoted to the necessary enquiry would entail a heavy expense, and retard the progress of legislation. In whatever light he considered the Bill, he saw reason to regret that it was introduced; but in any case it ought to be amended so as to take away from the returning officer a power which ought only to be exercised by the Legislature or the regularly constituted tribunals for the trial of contested elections.

Hon. Mr. WALK objected to the power given to the returning officer as extraordinary, and likely to lead to abuses. He wished to see our legislation of universal application, not partial in its operations, as would be the case with the present measure should it become law. He was not opposed to dual representation, and had always entertained the same opinion.

He thought the Parliament should not deal hastily with the question, but wait until we had more experience of the practical results of the working of the new system. He pointed out the expense and inconvenience that a candidate coming from Nova Scotia or New Brunswick would be subject to in case he had to appear before an Election Committee. If the Government had brought in a bill to have a trial in the Province itself the case might be different.

Hon. Mr. SUTHERLAND was unwilling to vote without expressing his opinion that the measure was objectionable to him. It appeared to him that the Bill was intended to steal a march on the Legislature of Ontario, and he did not believe that was the proper time or legitimate way of dealing with the matter. He was not opposed to a general measure, but he could not vote for a Bill so partial in character.

The question of concurrence being put the House divided and the names being called for they were taken down as follows:

Contents.—Hon. Messieurs Aikins, Armand, Benson, Botsford, Burnham, Campbell, Carrall, Chapais, Cornwall, Dickson, Dumouchel, Ferrier, Foster, Girard, Hamilton, (Kingston), Holmes, Lacoste, Leslie, McClelan, McLelan, Macdonald, Mitchell, Odell, Panet, Perry, Read, Ryan, Shaw, —28.

Non-Contents.—Hon. Messieurs Blake, Bureau, Chaffers, Christie, Cormier, Flint, Guevremont, Leonard, Letellier de St. Just, McMaster, Malhoit Olivier, Price, Reesor, Seymour Simpson. Sutherland, Wark, Wilmot.—19.

So it was resolved in the affirmative, and

The said Bill was then read a second time accordingly.

AFTER RECESS.

The following Bills were read second time:—

Banque Ville Marie incorporation Bill. (Hon. Mr. Letellier de St. Just.)

Immigration Act Amendment Bill. (Hon. Mr. Campbell.)

Canada Improvement Company Bill. [Hon. Mr. Ryan.]

North Western Trading Company Bill. (Hon. Mr. Benson.)

Ottawa Vaudreuil, and Montreal Railway Bill. (Hon. Mr. Flint.)

Canada Central Railway amendment Bill. (Hon. Mr. Benson.)

Public Works Act debts removal Bill. Hon. Mr. Campbell.)

Charlotte County Commissioners of Pilots Bill (Hon. Mr. Campbell.)

Hudson's Bay Company Loan amendment Bill. (Hon. Mr. Campbell.)

Hafifax Harbor Master's appointment Bill. (Hon. Mr. Mitchell.)

Nova Scotia Shipping of Seamen Bill. (Hon. Mr. Mitchell.)

Bridges Bill. (Hon. Mr. Campbell.)

St Lawrence and Ottawa Railway Bill. (Hon. Mr. Macpherson.)

The House went into Committee and passed:

Fraudulent marking of merchandize Bill. (Hon. Mr. Campbell.); also Polling Districts in Inverness, Nova Scotia Division Bill. (Hon. Mr. Campbell.); also Voters Lists for Elections in Nova Scotia Revised Bill. (Hon. Mr. Campbell.)

These three bills were passed and sent back to Commons.

A number of bills were received from the Commons.

The House then adjourned.

TUESDAY, June 11, 1872.

The SPEAKER took the chair at 3 o'clock.

BILLS.

Hon. Mr. HAMILTON, from Committee on Banking, Railways and Commerce, reported up the Bill with respect to Bills of Exchange and Promissory Notes, with amendment, adopting the law of merchants which prevails everywhere.

Also, bills to amend the St. Lawrence and Ottawa Railway Act.

To incorporate Banque Ville Marie.

To grant additional powers to the Montreal and Ottawa Railway Company.

To incorporate Canada Improvement Company.

These bills were read a third time and passed.

Hon. Mr. DICKSON, from Committee on Standing Orders and Private Bills, reported favorably on petitions of Angus Morrison and others; and of Dominion Trust Company.

CONTINGENT ACCOUNTS.

Hon. Mr. SEYMOUR presented a report from the Committee on Contingent Accounts. Adopted.

WEIGHTS AND MEASURES.

Hon. Mr. RYAN made the motion of which he had given notice on a previous day: That an humble Address be presented to His Excellency the Governor General, praying that (during the interval between the dissolution of the present and the assembling of a new Parliament),

steps may be taken by the appointment of a commission of enquiry or otherwise, to obtain such full and correct information as may enable the Government to submit to Parliament at its next session, a Bill or Bills, providing :

1st. One uniform system of weights and measures throughout the Dominion.

2nd. The purchase and maintenance at convenient places of accurate and reliable standards of length, weight and capacity, including standards for the measurement of gas.

3rd. A regular and general inspection of all weights and measures throughout the Dominion.

The hon. gentleman stated that the subject had occupied the attention of the House for some time. In 1870 a special committee was appointed to make enquiry into the subject of coins, and weights and measures throughout the Dominion. That Committee made a report which was adopted by the Senate, and after detailing certain circumstances stated that they were "of opinion that no time should be lost in establishing by law a uniform system of weights and measures throughout the Dominion. The duty of initiating legislation on a subject of such importance necessarily devolves upon the Government, and the Committee are of opinion that another session should not be allowed to pass without a measure being submitted to Parliament." Two measures were submitted to Parliament, one of which established the metric system. Another measure dealing with the general subject of weights and measures, and approaching the organization of a uniform system was also submitted, but when it came to be considered, it was not considered sufficiently perfect, and the Government accordingly withdrew it. He did not think that the country had lost anything by the withdrawal of that measure inasmuch as since that time great progress has been made in Great Britain towards establishing the best system of weights and measures. A Royal Commission had been sitting now for five years, and their measure was about complete. They had already published five voluminous reports, including also the subject of measurement of gas. The measure, however, was not yet before the Imperial Parliament, though there was no doubt it would be there during the present session. Under these circumstances it appeared to him that when the subject was considered of such importance, that it demanded the attention of a Commission composed of the most eminent men, including the Astronomer Royal, the Government in this country ought to take

time before the meeting of Parliament to prepare a measure which will satisfy the people.

Hon. Mr. CAMPBELL replied that the Government would consent to the motion. The question had already occupied the attention of the Government, but there were considerable difficulties in the way arising out of the different practices in the different Provinces. A new Parliament, no doubt, would be called upon to deal with the question.

The motion was amended, at the suggestion of Hon. Mr. Letellier de St. Just, to add water metres.

SECOND READINGS.

The following bills were read a second time :—

Dominion Trust Company's Bill—(Hon. Mr. Aikins.)

Manitoba Insurance Company Bill—(Hon. Mr. Girard.)

Western Assurance Company Amendment Bill—(Hon. Mr. Macpherson.)

Patents of Invention Bill—(Hon. Mr. Campbell.)

Imperial Guarantee and Loan Society Bill—(Hon. Mr. Macpherson.)

DUAL REPRESENTATION.

The House then went into Committee on the Bill with respect to Dual Representation,

Hon. Mr. BENSON in the chair.

Hon. Mr. LETELLIER DE ST. JUST moved an amendment, making the Bill applicable to all the Provinces.

Hon. Mr. BOYSFORD said that this was intended as a side wind to destroy the bill. The New Brunswick members had no desire to interfere with the other Provinces—they should be allowed to deal with the question as they should think proper.

Hon. Mr. LETELLIER DE ST. JUST said that the intention was only to give a wider scope to the bill.

Hon. Mr. GIRARD contended that the principle embodied in the amendment was unconstitutional; the people of the Provinces in question ought first to be allowed to express their own opinions on the subject.

Hon. Mr. MITCHELL, in reply to the statement that the legislation was personal, stated one of the gentlemen in the other branch who were to be affected, had elsewhere suggested the amendment which made the Bill applicable to Ontario, and actually voted for it.

The question was put and the motion lost.

Hon. Mr. LETELLIER DE ST. JUST proposed another amendment. That after the first clause the following proviso be added: Provided that the Act will not interfere with or invalidate in any way whatever with the provisions or enactments of an Act passed by the Legislature of Ontario at its last Session, chapter 4, entitled, "An Act to render members of the House of Commons ineligible as members of the Local Legislatures of Ontario."

Hon. Mr. BOTSFORD said that he must oppose the amendment, and expressed his surprize that an attempt should be made to defeat the wishes of the House of Commons with respect to a matter concerning their own rights and privileges.

The motion was lost on division.

Hon. Mr. LETELLIER DE ST. JUST proposed another amendment against the clause respecting Returning Officers.

The Committee rose and reported the Bill without amendment.

Hon. Mr. BUREAU moved that the Bill be referred back to committee to amend it so as to provide that the Returning Officers shall have under it only the same duties and powers as are now imposed upon them by law.

Hon. Mr. CHRISTIE seconded the amendment.

On a division the amendment was lost by the following vote: Contents 13; Non Contents 25.

The Bill was then read a third time on division.

IMMIGRATION.

House again went into Committee on the Immigration Bill,

Hon. Mr. McMASTER in the chair, and passed it with an amendment. Committee rose and report was adopted.

The Bill was then read a time and passed.

BILLS.

Following Bills also went through Committee, and were read a third time and passed:—

Nova Scotia Shipping of Seamen Bill—(Hon. Mr. Mitchell.)

Bridges Bill—(Hon. Mr. Campbell.)

Tea and Coffee Duties Bill—(Hon. Mr. Campbell.)

Anticosti Incorporation Bill—(Hon. Mr. Price.)

Halifax Harbor Master's Bill—(Hon. Mr. Mitchell.)

Hudson's Bay Co. Loan Bill—(Hon. Mr. Campbell.)

Immigration Act Amendment Bill—(Hon. Mr. Campbell.)

Public Works Act doubts removal Bill—(Hon. Mr. Campbell.)

Charlotte County Commissioners of Pilots Bill—(Hon. Mr. Campbell.)

SECOND SITTING.

NEW BRUNSWICK SCHOOL SYSTEM.

Hon. Mr. WARK—I feel that nothing but the importance of the subject about which I am about to ask a question can excuse me for trespassing on the attention of the House at the present time. Those who have read the discussion in the press and elsewhere on the Educational Act of New Brunswick must feel the conviction that there is a prevalent opinion that the Legislature of that province has been guilty of an act of injustice to a portion of the people. I am as conversant with the whole legislation of that province as any person in this Parliament, and, therefore, I feel, reading these articles and speeches, that I should explain the real facts of the case. I would refer especially to one paragraph, a translation in the *Witness* from *La Minerve*, which contains these words:—"The vote of Wednesday affects in a serious manner the feelings we have entertained towards men who owe to us almost all the positions they occupy. We cannot forget that these men of New Brunswick and Nova Scotia, at present Ministers by favor of the Conservative party of Ontario and Quebec, belong to the so-called Liberal school, and their present conduct forces us to consider their alliance as the saddest of political necessities. They have inflicted on us an odious injustice at this time. Let them rest assured that henceforth we shall look for revenge to the day when we shall huss them out of the door." Now I believe this extract is taken from a respectable paper, those words certainly could only have been penned under the influence of wounded feelings, under the belief that a deep injury had been done to the writer's co-religionists. It is understood that what we called special grants have been made for educational purposes for a great number of years, but the origin of those grants is not generally known. In the province of New Brunswick, when first established as a separate province, as was the case in most colonies, the governing class was chiefly, or almost exclusively, members of the Church of England. I could not give a better proof of this than by referring to the fact that when I entered public life, 30 years ago, the whole Executive Council, the whole Legislative Council, with two exceptions, and the members of the House of Assembly, with

thirteen exceptions, members of that church. In the province the necessity of education for the better classes was felt at an early period. A college was incorporated by a colonial charter about the beginning of the present century. It had grants of lands for its endowment as well as grants of money. In 1828 a royal charter was granted, and provided that the Bishop of the Diocese, and for the time being should be the Visitor. The Archdeacon was the President, and the Council was to be composed of persons who should subscribe to the 39 articles of the Church of England. This state of things was not satisfactory to many persons, but at that time the friends of the institution contended that the Legislature could not alter or amend a royal charter. In the course of time denominations commenced to come in and ask for grants to provide for education for those in whom they were interested. The Baptists got a grant of £200 which was subsequently increased to £1,000, and latterly to £1,200. The Wesleyans got £360 for a Male Academy, and subsequently for a Female Academy, they obtained £1,200. At a later period the Congregationalists and the Presbyterians came in and got grants. In connection with the University there was another institution, but for a different object, and that was the Madras School for the education of the humble classes. The Bishop, Rector and Churchwardens of the Trinity Church, were at the head of this institution which also held a royal charter. The only person connected with it, who was not a member of the Church of England, was the Presbyterian clergyman of St. John. His successor, however, was not provided for. This matter gave the same cause of complaint to the humble classes that the University had given to those interested in higher education. The first grant that was made was in 1841, and I give the exact words—"To the Justices of the Peace for the City and County of St. John, £250, towards the support of a free school established in the said city unconnected with the Madras Board." In 1842 the grant was continued in exactly the same words. At that time no denomination is mentioned. In 1843 the Act read—"To the Justices of the Peace for the City and County of St. John in aid of individual subscription toward the support of the Roman Catholic School established in the said City, and now in most efficient operation, the sum of £150." In 1843, the first year I entered the House of Assembly, a petition came up from Portland, which is almost a part of St. John, from the Rev. Mr. Dunphy, which

was referred to a Committee on School Petitions of which I was a member. I may observe as a proof of the kindly feeling which existed at that time towards the Roman Catholics that though there was not a member of that body in the House of Assembly, the five individuals who were on the Committee recommended the grant, and it was made in these terms: "To the Rev. James Dunphy, of St. John, in aid of the individual subscription to establish a free school in the parish of Portland." This is a grant similar to that made two years before to the Justices of the Peace. The object was to establish free schools where the teachings should not interfere with their religious convictions. The Madras Board had a number of schools scattered over New Brunswick, at important points, and other schools gradually sprang up in the same neighborhood, and was supported by the grants in question. These began gradually to be school grants to Roman Catholics, and they went on increasing from the time I have mentioned. In 1856 the amounts stood on the statute book as follows:—The Baptist Academy £150; the Wesleyans £700; Madras School £400, and there was a grant made to a very worthy clergyman in St. John of £50 more. The Milltown Academy in connection with the Congregationalists had £200. At that time the Roman Catholic grants stood thus: Chatham, £50; St. John, £150; Portland, £30; Memramcook, £150; Fredericton, £150; St. Stephen's, £100; St. Andrew's, £75. These grants of 1856 are the last that appear on the Statute Book of New Brunswick as made to any particular denomination. After that the moneys were granted for educational purposes and the Government distributed them. There is not a line in the Statute Book to show that there was any grant for religious objects up to the present time. In 1870 the Baptists received \$1,200; the Wesleyans, \$2,800; the Milton Academy, \$600; the Madras School, \$1,600. The Bishop of Fredericton had \$200 for a free school; and there was one Church of England free school in St. John that received \$200 and another that received \$70. The grants to the Church of England, therefore, amounted to \$2,070. The Presbyterian school at St. Stephen's had \$150; the Academy at Chatham, \$500, and \$500 at Woodstock. The grants to the Roman Catholics had raised, for they were receiving \$300 for a school at St. Andrew's, \$600 at Fredericton, \$600 at St. John, \$400 at Milton, \$240 at Carleton, \$600 at Chatham, \$400 for the Madawaska, \$300 at Woodstock,

\$200 at Portland, \$400 at Bathurst, \$400 at Newcastle, \$100 at St. Stephen.

Hon. Mr. BOTSFORD—You must add Memramcook, \$400.

Hon. Mr. WARK—I have not been able to verify that, but I will add it. These sums make a total of \$4,840. This is a fair statement of the state of thing at the time the New School Act of New Brunswick came into operation. With respect to the University I may mention that in the course of time the Legislature began to insist upon a change in its constitution. It is now divested altogether of its denominational character, and is governed by a Senate consisting entirely of laymen. That Senate has been so enlarged as to leave room for each denomination of christians in the Province to be represented. When young men enter the University, they have to intimate through their parents or guardians what church they wish to attend. All the churches are within a mile of the University, and therefore there is no difficulty on that point. The people of New Brunswick felt that they were behind other Provinces with respect to Common School Education, and therefore they passed laws now in question to establish free schools throughout the whole Province. It has been alleged that the present law is less favorable to the Roman Catholics than the one in existence previously. Now I wish to state very briefly the leading features of both laws. In the first place the principles were laid down that in order to have efficient schools the teachers ought to be trained, and we established a model school for that purpose. Another feature of the law was the uniformity of books introduced into all the schools. Another feature was this—that when the teachers got trained, they were expected to go and introduce the new system wherever they were employed, and Inspectors were employed to follow them and see that they discharged their duties. These features were also contained in the new law. The great difference between the two systems is this—the teachers were classified in first, second, and third class; and according to the class they received a grant, small or large, from the public funds. They receive exactly the same now, but formerly the teacher had to go and make his own bargain with the employers, and had to collect his own salary as best he could. Under the present system it is provided that a tax shall be levied on the whole county, amounting to 30 cents per head of the total population, to be levied on real and personal property, and income, and

part of it as a poll tax. The amount thus raised is distributed among the schools in proportion to the class of the schools. Then it is also provided that each school district shall elect its own trustees, and that they shall raise what they can afford for a teacher. The trustees are bound to get a share of the county assessment, and if it is a poor district there is a provision that they shall receive something more, about one-fifth I think. The effect of this legislation is this—we had 927 schools in 1871, and they were all free. Then the college was placed on such a liberal basis that nobody could object to it. Under these circumstances the causes that led to denominational grants had ceased to exist. The Government were then in a position to say—we cannot continue these grants; we have established free schools, the University is placed on a liberal footing, and there is no necessity for any person standing aloof. We were in the same position to say to the Madras Board,—You were incorporated to educate the indigent and have spent your grants on 14 free schools—we are prepared to give a liberal school education in 927 to both poor and rich. We could say to the Roman Catholics,—We have given you grants by way of relief from the teachings of which you complained, but now all this is swept away—it is no longer necessary to provide schools for you, for we have provided that all the schools are free. Of these 927 schools, there were 239 Roman Catholic teachers, who would be enough for every school that they require in the Province. Under these circumstances the House will see that the present law is not less favorable to any particular class than that which has been repealed. As an illustration of the kindly spirit in which both Protestant and Roman Catholics worked in former times I may mention that when I was a School Trustee I was associated with Rev. Mr. Paquet—he looked after the French schools and his colleagues attended to the English—and we had the most perfect confidence in him, and always joined him in signing his teacher's certificates. We had still more striking examples of liberality and kindly feeling when Dr. Dollard was Bishop of the whole Province of New Brunswick. Soon after his appointment he went to reside in Fredericton. He accepted the office of Trustee of Schools, his colleagues were Rev. Dr. Brook and a clergyman of the Church of England, I think Rev. Mr. Kitchum. These three gentlemen met from time to time and examined all the schools of the city. The utmost cordiality existed between them, and although the Bishop

found in those schools the children of his church receiving their education side by side with Protestants he was, doubtless, satisfied that they were not suffering either religiously, morally, or intellectually by this contact. I regret that the same kindly feeling does not exist now, but with that I have nothing to do. I have simply endeavored to state as succinctly as possible the circumstances connected with the school grants, with the view of dispelling a large amount of prejudice that appears to exist on the subject. Without further remarks I will now ask the Government whether in preparing the case to be submitted to the Law officers in England they intend consulting the Government of New Brunswick.

Hon. Mr. CAMPBELL—I am quite certain that the hon. member has done good service by dispelling a considerable misconception that exists on the subject to which he has drawn attention. I have no doubt that the statement which he has made is perfectly accurate, for he has been in a position to know all the facts of the case. With reference to the question asked, I beg to say that in preparing the case the Government will be anxious to have it accurately given on both sides, and therefore they will take care that the Government of New Brunswick is consulted in reference to the matter.

Hon. Mr. LETELLIER DE ST. JUST—I would not have arisen to make any remarks had I not felt the speech of the hon. gentleman could not be allowed to pass in silence. I regret that this question has been brought before this House, and that we are obliged to protest against the assertions of the hon. member. I must say that justice has not been done to the minority in New Brunswick. What was granted to the minorities in Ontario and Quebec has not been conceded to the Roman Catholics of New Brunswick. When the hon. gentleman would have us infer that the New Brunswick law is in accordance with the constitutional Act, then I say that he has not examined the case thoroughly and seen what is the result of that Statute. The members of that particular church are excluded from being teachers among their co-religionists.

Hon. Mr. WARK—There were 239 Roman Catholic teachers in New Brunswick, teaching under the present law.

Hon. Mr. LETELLIER DE ST. JUST—One of the features of this Act is such that it enabled those who have care of the educational system to make regulations to determine who shall be the teachers of the Catholics. By these regulations they have said that no priests, no person de-

voted to religious instruction, shall be recognized as capable of becoming teachers among their co-religionists. Under these circumstances we would be wanting in our duty if we did not protest against the remarks of the hon. member. I regret that the legislation of New Brunswick was not vetoed by the Governor General, for such a course would have allayed great irritation that now exists.

Hon. Mr. WARK—I simply stated what led to the legislation of New Brunswick, and the reasons they had for abandoning the special grants.

Hon. Mr. CHAPUIS—I have heard with a great deal of displeasure the words that have fallen from the hon. member who has just sat down, and it would have been a great deal better in the interests of New Brunswick if he had not stated what he has to-day. We knew very well before that New Brunswick had been liberal toward the Catholics; we knew, too, that since last year they have changed their views in that particular. The hon. member has just succeeded in putting before this House and country in the most open manner, at one and the same time, the liberality and injustice which has been shown to the Catholics. He has proved that for 31 years the Catholics received grants from the Catholics in order to teach their children; but since last year all this has been changed. He has proved that before last year the people of New Brunswick were free to support education in accordance with their peculiar views, and the Government helped their efforts. He has proved that since last year all this has been altered, and now the whole people are bound to pay taxes for education that does not suit the wishes of the Catholics.

The subject then dropped.

PATENTS.

The House went into Committee on the Bill respecting Patents, Hon. Mr. OLIVIER in the Chair, and some desultory discussion arose, in which Hon. Messrs. RYAN, FERRIER, LETELLIER DE ST. JUST, and CAMPBELL took part.

The Committee rose and reported the Bill with amendments.

Hon. Mr. RYAN expressed his regret that so important a measure should come up at a period of the session, when it was impossible to give it that full consideration which it ought to receive at the hands of the Senate. The House had already amended it in Committee, but he had little doubt that whilst the measure might be on the whole an improvement upon the existing law, still it would be

found to contain imperfections which would have to be removed next session.

Hon. Mr. CAMPBELL said that it was inevitable that measures should come up at a late period, and he had no doubt that the measure would be found most advantageous to the public interests.

The Bill was then read a third time and passed.

ADDRESS TO LORD LISGAR.

A message was received from the House of Commons, informing the Senate that they had passed an Address to His Excellency the Governor General previous to his departure for England, and asking the concurrence of that honourable body in said Address.

Hon. Mr. CAMPBELL said that he was quite sure that the Senate would cordially unite in expressing the views set forth in the Address of the other branch. All those who knew His Excellency would be sorry to hear of his departure, and would always entertain a grateful recollection of his services to the Dominion. He then moved that the blank in the Address be filled up by "The Senate."

Hon. Mr. LETELLIER DE ST. JUST said, in seconding the motion, that he must cheerfully endorse the remarks that had fallen from the hon. Postmaster General. All would willingly confess that His Excellency had discharged his onerous and delicate duties with impartiality and faithfulness to the interests over which he presided.

The motion was passed.

WEDNESDAY, June 12, 1872.

The SPEAKER took the chair at 3 o'clock.

BILLS.

Hon. Mr. DICKSON, from the Committee on Standing Orders and Private Bills, reported favorably on the following bills:

An Act to incorporate the Imperial Guarantee and Loan Society.

An Act further to amend the Act incorporating the Western Assurance Company.

An Act to incorporate the Gananoque and Wiltsie Navigation Company.

Hon. Mr. FERRIER, from the Committee on Banking, Railways and Commerce, reported favorably on the following bills:

An Act to incorporate the Quebec Pacific R. R. Company.

An Act to incorporate the Interoceanic R. R. of Canada.

An Act to incorporate the Thunder Bay Silver Mines Railway Company.

An Act to incorporate the Canada Pacific Railway Company.

An Act to amend the Act of incorporation of the Ontario and Erie Ship Canal Company.

An Act to amend the Act to incorporate the Queenston Suspension Bridge Company.

An Act to incorporate the Pacific Junction Bridge Company.

An Act to incorporate the Canada and New York Bridge and Tunnel Company.

An Act to amend the Act incorporating the Canada Central Railway Company.

An Act to explain and amend the Sault St. Mary Railway and Bridge Act.

All these bills were read a third time and passed.

PRINTING.

Hon. Mr. GIRARD, from Joint Committee on Printing, presented a report respecting the printing of certain public documents.—Referred back for amendment.

SALARIES.

Hon. Mr. ARMAND moved that the Clerk of this House be instructed to pay the Employes of the Senate on the 1st July for that month, and the month of August, and that on the 1st day of August and each and every month thereafter, he pay them one month's pay.

Hon. Mr. McDONALD (B. C.) seconded the motion.

Hon. Mr. CAMPBELL hoped the hon. gentleman would not press his motion at that late period of the session, as it would necessitate, if passed, a revival of all the salaries in other departments of the public service. He acknowledged the cost of living had largely increased of late years, and that it would be necessary in a new Parliament to take up the whole question.

The motion was dropped.

SECOND SITTING.

Hon. Mr. FERRIER said that since the House adjourned that afternoon a resolution had passed the other branch with respect to the salaries and emoluments of its employes, and he would therefore ask the House to pursue a similar course in relation to its own officers and servants. He proposed the following resolution, seconded by the Hon. Mr. ARMAND:

That whereas this House, during the first session of the present Parliament, in

order to economize its expenditure, reduced the salaries of certain of its officers and clerks on the Department, and no increase has since been made to the said salaries or emoluments.

Resolved,—That in the opinion of this House, such of the officers and servants of this House as His Honor, the Speaker, the Honorable the Postmaster General and the Honourable the Receiver General may consider entitled from length of service or capacity should have such reasonable addition to their salaries as will compensate them fairly for their work, for the current year and until their cases may be considered by this House.

Hon Mr CAMPBELL said that he was quite ready to accede to the resolution in view of the action taken elsewhere. Undoubtedly the House would not wish to see its officers and servants considered less favorably than those of the other branch—a due regard being had to efficiency and service.

The motion was adopted.

BILLS.

Hon. Mr. FERKLER, from Committee on Banking, Railways and Commerce, reported favorably the following bills.

An act to incorporate the Lake Superior and Manitoba Railway Company.

An act to incorporate the Lake Superior and Winnipeg Railway Company.

An act to incorporate the Central Railway Company of Manitoba.

An act to incorporate the North Western Railway Company of Manitoba.

An act to incorporate the Manitoba Junction Railway Company.

The foregoing bills were read third time and passed.

The following bill was received from the House of Commons and passed through the necessary stages.

An act to amend the act respecting Copyrights (with amendments.)

An act further to amend the act 31 Victoria Chapter 33.

The said bill was read for the first time. The House then adjourned.

THURSDAY, 13th June, 1872.

The SPEAKER took the chair at three o'clock.

Senator GIRARD presented the final report of the Joint Committee on Printing. Adopted.

Hon. Mr. MITCHELL was added to the Committee appointed under resolution of the previous night to consider salaries and emoluments of the employes of the Senate,

A large number of Bills were brought up from the House of Commons, and passed through their various stages.

MAIL SERVICE.

On motion for the second reading of the Supply Bill,

Hon. Mr. REESOR called attention to the contract made in 1869, between the Canadian Government and the Messrs. Allan of Montreal, for the performance of the steam service across the Atlantic. According to that contract, it was agreed "the service shall commence on the 1st day of April, 1869, and shall continue up to and until the 1st day of April, 1872, and shall not then terminate, but shall continue in force thereafter in all its provisions until either party to the contract shall give to the other party 12 months previous notice of a desire to terminate the same." He mentioned the fact of there being other efficiently managed steamship lines sailing from Montreal, and asked the Government whether they had given notice in accordance with the terms of the contract or intended doing so.

Hon. Mr. CAMPBELL replied that the Government were quite satisfied with the manner in which the Messrs. Allan had carried out the very important service they had engaged in 1869 to perform. Their steamship line was not excelled by any others for despatch and safety and was an admirable illustration of the enterprise of the commercial men of the Dominion. The Government had, he continued, given notice on the 31st of March last, of their intention to terminate the contract in April, 1873, and they had done so in view of the completion of the Intercolonial Railway, and the advisability of revising all present arrangements in connection with the mailservice.

The Supply Bill was passed.

The House then adjourned.

FRIDAY, June 14, 1872.

PROROGATION.

At three o'clock His Excellency the Governor General came down to the Senate and having assented to a number of Bills, prorogued Parliament with the following speech:

SPEECH.

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

I have much satisfaction in relieving you from an attendance in Parliament which cannot fail to be inconvenient to many of

you at this season of the year. I thank you therefore all the more for the time and attention which you have diligently bestowed on the discharge of your public duties.

The interest and importance of various questions which have been discussed and decided will render the Session memorable in the annals of the country.

Your adoption of the Articles of the Treaty of Washington which affect Canadian interests, has placed in a clear light your determination to share the fortunes of England. The generous disposition evinced under the trying circumstances of the time has added strength to the honourable position of Canada, both as regards the British Empire and the United States.

The vast project, of which you have so wisely matured the conditions for carrying a Railway to the shores of the Pacific, will open a new pathway for England as well in peace as in war, to the East, and will, I trust, be productive of the most essential benefits to this Dominion by giving facilities to traffic of all descriptions, enhancing the value of the public lands, promoting their settlement, and drawing closer the ties which bind the sister Provinces together by easier access and multiplied intercourse.

Few who have not considered the subject have any adequate conception how large an extent of economical advantage, the possession of great navigable rivers like the St. Lawrence and its tributaries comprises. The outlay you have sanctioned on their improvement, and on that of the auxiliary canals, is a safe investment. It will be amply and speedily repayed by the augmented volume of trade flowing down all the channels opened to its course, for it will be swollen by the confluence of your own accumulating productions with those of your Western neighbors.

It is highly satisfactory that the condition of the revenue is so prosperous as to enable you to advance the interests of the Country by commencing the construction of these works at once, without delay or misgiving.

Gentlemen of the House of Commons :

In Her Majesty's name I thank you for the supplies which you have so cheerfully granted.

I heartily congratulate you on the prosperous condition of the revenue, and on your having been enabled by the repeal of the duties on tea and coffee to diminish the burdens of the people.

Honorable Gentlemen of the Senate,

Gentlemen of the House of Commons,

The joint address with which you have honored me on the eve of my departure is most agreeable to my feelings.

I shall I assure you hold in grateful recollection all my life the expression of your respect and esteem.

I have watched with deep interest in my official capacity the proceedings of four sessions, and made myself otherwise acquainted with the views and wishes of the Parliament and people of Canada, and I earnestly hope that the good intelligence which prevails between them and the people of England may last constant and unimpaired for generations to come.

I have now the honor to bid you farewell, with those serious thoughts which the word farewell naturally awakens, with every acknowledgment of the many courtesies and the effective assistance which I have received at your hands and with the most cherished and ardent wishes for the welfare of the Dominion, with which I rejoice to think that my humble name has been connected by an honorable tie for more than three years.

The following Bills received the Royal Assent:—

An act to repeal the Duties of Customs on Tea and Coffee.

An act to amend the act respecting the Statutes of Canada.

An act to confirm an agreement made between the Grand Trunk Railway Company of Canada and the International Bridge Company; and for other purposes.

An act for the avoidance of doubts respecting Larceny of Stamps.

An act further to amend "an act" respecting the security to be given Officers of Canada.

An act to correct a Clerical error in the act respecting Malicious Injuries to Property.

An act to make provision for the continuation and extension of the Geological Survey of Canada, and for the maintenance of the Geological Museum.

An act to naturalize Anson Greene Phelps Dodge.

An act to amend the act regulating the issue of Dominion Notes.

An act respecting the Public Debt and the raising of Loans authorized by Parliament.

An act to amend the act respecting the Civil Service of Canada.

An act to amend the act of incorporation of the Caughnawaga Ship Canal Company.

An act to amend an act to incorporate

the Detroit River Tunnel Company, and for other purposes.

An act to amend "An act to incorporate the Managers of the Ministers' Widows and Orphans Fund of the Synod of the Presbyterian Church of Canada in connection with the Church of Scotland.

An act to incorporate the Canada and Newfoundland Sealing and Fishing Company.

An act relating to the Treaty of Washington, 1871.

An act to indemnify the Members of the Executive Government and others for the unavoidable expenditure of Public Money without Parliamentary grant, occasioned by the sending of an expeditionary force to Manitoba in 1871.

An act relating to Quarantine.

An act to amend the act relating to Banks and Banking.

An act respecting the Grand Trunk Railway and the Champlain Railroad Companies.

An act to incorporate the Bank of Acadia.

An act respecting the Toronto Savings Bank.

An act to amend the act, chapter 47, of the Consolidated Statutes for Upper Canada, entitled, "An act respecting Rivers and Streams."

An act to amend the act incorporating the British America Assurance Company, and the subsequent acts affecting the said Company.

An act to incorporate the Anchor Marine Insurance Company.

An act to amend the chapters six and seven of the Statutes of 1871, relating to Savings' Banks.

An act to incorporate the Thunder Bay Silver Mines Telegraph Company.

An act to incorporate the Mail Printing and Publishing Company. (Limited.)

An act to incorporate the Canadian Railway Equipment Company.

An act to amend the act incorporating the Mutual Life Association of Canada.

An act to legalize a certain agreement entered into between the Grand Trunk Railway Company of Canada and the Corporation of the Town of Galt, and for other purposes therein mentioned.

An act to legalize and confirm the Lease to the Northern Railway Company of Canada of the Lines of Railway of the Northern Extension Railways Company.

An act to amend the act incorporating the London and Canadian Loan and Agency Company. (Limited.)

An act to enable the Great Western Railway Company to extend and improve its connections.

An act to incorporate the Dominion Water Works Company.

An act to incorporate the Inland Marine and Fire Insurance Company of Canada.

An act to incorporate the St. Catherine's (Ontario) Board of Trade.

An act to amend the act to incorporate the Canadian and European Telegraph Company.

An act to incorporate the Bank of Saint John.

An act to incorporate the Maritime Bank of the Dominion of Canada.

An act to incorporate the Bank of Hamilton.

An act to incorporate the St. Lawrence Bank.

An act to incorporate the Exchange Bank of Canada.

An act to incorporate the Quebec Frontier Railway Company.

An act to incorporate the Canada Agricultural Insurance Company.

An act to incorporate "The Saint John Board of Trade."

An act to incorporate the Board of Trade of the Town of Lewis.

An act to incorporate the Missionary Society of the Wesleyan Methodist Church in Canada.

An act to incorporate the Sorel Board of Trade.

An act to amend the law relating to the Fraudulent Marking of Merchandise.

An act so provide for the Revisal of Voters' Lists for Elections to the House of Commons in a certain Revisal District of the County of Victoria, Nova Scotia.

An act to incorporate the Detroit River Railway Bridge Company.

An act to incorporate the River St. Clair Railway Bridge and Tunnel Company.

An act to incorporate the Coteau and Province Line Railway and Bridge Company.

An act to incorporate the St. Lawrence International Bridge Company.

An act to incorporate "The Bank of Manitoba."

An act to change the name of the "District Permanent Building Society of Montreal" to that of the "Loan and Landed Credit Company," and to grant certain powers to the said Company.

An act to extend the powers of the Montreal Telegraph Company, and for other purposes.

An act to incorporate the Superior Bank of Canada.

An act to incorporate the Toronto Corn Exchange Association.

An act to divide certain polling districts in the County of Inverness, in the

Province of Nova Scotia, and to provide for voters' lists therefor.

An act respecting bridges.

An act to amend "The St. Lawrence and Ottawa Railway Act."

An act to remove doubts under the act respecting the Public Works of Canada.

An act respecting the shipping of seamen in Nova Scotia.

An act respecting the appointment and powers of Commissioners of Pilots for the coasts and harbours of the County of Charlotte.

An act to provide for the appointment of Harbor Master for the Port of Halifax.

An act to amend the act, 34 Victoria, chapter 3, respecting the Loan for paying a certain sum to the Hudson's Bay Company.

An act to grant certain additional powers to the Ottawa, Vandreuil and Montreal Railway Company.

An act to incorporate the "Dominion Trust Company."

An act to compel members of the Local Legislature, in any Province where dual representation is not allowed, to resign their seats before becoming candidates for seats in the Dominion Parliament.

An act to incorporate the "Banque Ville Marie."

An act to incorporate the Canada Improvement Company.

An act to amend the Immigration Act of 1869.

An act to incorporate "The Accident Insurance Company of Canada"

An act to incorporate the Ontario Shipping and Forwarding Company.

An act to incorporate the Board of Trade of the Town of Chatham.

An act relating to bills of Exchange and Promissory Notes.

An act respecting the Canadian Pacific Railway.

An act to amend the St. Francis and Megantic Railway act.

An act respecting Patents of Invention.

An act to incorporate the Halifax Banking Company.

An act to incorporate the Manitoba Insurance Company.

An act to provide for the incorporation of Immigration Aid Societies.

An act to re-adjust the Representation of the House of Commons.

An act to incorporate the Manitoba Junction Railway Company.

An act to incorporate the Lake Superior and Winnipeg Railway Company.

An act to incorporate the North Western Railway Company of Manitoba.

An act to incorporate the Central Railway Company of Manitoba.

An act to incorporate the Lake Superior and Manitoba Railway Company.

An act relating to the Central Bank of New Brunswick.

An act to incorporate the "Quebec Pacific Railroad Company."

An act to incorporate the Imperial Guarantee and Loan Society.

An act to incorporate The Canada Pacific Railway Company.

An act to incorporate the Canada and New York Bridge and Tunnel Company.

An act further to amend the act 31 Victoria Chapter 33.

An act to explain and amend the "Sault St. Mary Railway and Bridge act."

An act to amend the act to incorporate the Queenston Suspension Bridge Company.

An act to amend the act of incorporation of the Ontario and Erie Ship Canal Company.

An act further to amend the act incorporating the Western Assurance Company.

An act to amend the act incorporating the Canada Central Railway Company.

An act to incorporate the Thunder Bay Silver Mines Railway Company.

An act to incorporate the Pacific Junction Bridge Company.

An act to incorporate the Gananoque and Wiltsie Navigation Company.

An act to incorporate the Inter-Oceanic Railway Company of Canada.

An act to amend the act 32 and 33 Victoria, Chapter 8.

An act to amend the Law relating to Advertisements respecting Stolen Goods.

An act to amend an act of the present Session, and to enable the Governor in Council to impose a duty on tea and coffee, imported from the United States, in the case therein mentioned.

An act to amend the Criminal Law relating to Violence, Threats and Molestations.

An act respecting Trade Unions.

An act to extend the Acts 32, 33 Vic., Cap. 40, and 33 Vic., Cap. 20, to the Port of Collingwood.

An act to extend certain Laws relating to matters connected with Navigation to the Province of British Columbia.

An act for imposing Tonnage Dues and Wharfage Rates to meet the cost of improving the navigation of the St. Lawrence between Montreal and Quebec.

An act to extend the Canadian Tariff of Duties of Customs and Excise, and certain acts relating to Customs and the

Revenue to the Province of British Columbia.

An act to incorporate the Anticosti Company.

An act to amend the Interim Parliamentary Elections Act, 1871.

An act respecting the Public Lands of the Dominion.

His Excellency the Governor General was pleased to reserve the following Bill for the signification of Her Majesty's pleasure thereon.

An act to amend the act respecting copyright.
