



CANADA

# HOUSE OF COMMONS DEBATES

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FIRST SESSION—FIRST PARLIAMENT  
31 VICTORIA

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COMPRISING THE PERIOD  
FROM THE SIXTH DAY OF NOVEMBER, 1867  
TO THE TWENTY-SECOND DAY OF MAY, 1868

**ROGER DUHAMEL, F.R.S.C.**  
**Queen's Printer and Controller of Stationery**  
**Ottawa, 1967**

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## FOREWORD

Students of Canadian history will welcome the publication of this volume of Parliamentary Debates for the years 1867 and 1868. This is the first volume in a series, undertaken as a Centennial project under the auspices of the Library of Parliament covering the years 1867 to 1874.

During these formative years of Confederation the Parliamentary Debates were not officially reported, and the absence from the public record of the major speeches and debates in Parliament during that important period has been a conspicuous and frustrating gap in the historical source material on the early years of Confederation.

We are indeed fortunate to have, as director of this complex project, the distinguished historian, Professor P. B. Waite of Dalhousie University. Professor Waite has brought to it a capacity for painstaking research and a dedication that has brought this first volume to completion well before the anniversary date of our nationhood. Without the active support and collaboration of the Parliamentary Librarian, Mr. Erik J. Spicer, and his associates, this project would not have been possible, and we are very much in their debt.

The Honourable SYDNEY J. SMITH  
Speaker of the Senate

The Honourable LUCIEN LAMOUREUX, Q.C., M.P.  
Speaker of the House of Commons

Joint Chairmen  
Joint Committee on the Library  
of Parliament

Ottawa, Canada, April 1967

## ERRATA

Page 209, column 2, line 14—"Wolseley" to replace "Woolsley".

Page 221, column 2, line 3—"Wolseley" to replace "Wolesley".

Page 462, column 2, line 4—"Kaministiquia" to replace "Kamanistigun".

Page 462, column 2, line 10—"Kaministiquia" to replace "Kamanistigun".



## PREFACE

Though Professor Norman Ward is both the most recent and the most effective person to urge the compilation and publishing of a Hansard for 1867-1874, and I am happy to publicly acknowledge Parliament's indebtedness to him, I should also like to pay tribute to two of my predecessors who originally made the suggestion. In their report to Parliament for 1886, the Joint Librarians, Mr. A. D. De Celles, General Librarian, and Mr. Martin J. Griffin, Parliamentary Librarian, urged the provision of "a good general Index to the reports of Parliamentary Proceedings in both Houses..." and "In order that such a work may be complete the Librarians venture to suggest the reprinting of the debates from 1867 to 1875, at which date the present series of Hansard Debates begin. The debates from 1867 to 1871 are contained in scrapbooks seldom available for the use of Members generally. The debates for 1870-71-72 are now out of print and not obtainable. There are no reports for 1873-74. If these debates were reprinted and revised under the charge of an impartial and capable man a very valuable work would be done in preserving a continuous record of the political history of the Dominion."

I believe that we were fortunate in engaging the services of "an impartial and capable man", and that the work he is producing will be "very valuable... in preserving a continuous record of the political history of the Dominion." We are all happy to have Professor Peter B. Waite of Dalhousie University, Halifax, in charge of this project. In this regard, I should like to thank Dr. W. Kaye Lamb, National Librarian and Dominion Archivist, Professor D. G. Creighton of the University of Toronto, and Mr. W. I. Smith, Assistant Dominion Archivist, for their willingness to discuss this appointment and other matters at the beginning. It seemed to me that Professor Waite's interest in the period, his facility in both French and English, and his knowledge of available newspapers and their proprietors, as evidenced by his book *The Life and Times of Confederation* (University of Toronto Press), made him a logical choice as editor of these debates.

The interest of the Joint Chairmen of the Joint Committee on the Library of Parliament has also been helpful, particularly as the work proceeded, as also has the increasing interest of the Committee members.

Professor Waite pays deserved tribute to the work done by the Associate Librarian, Mr. Guy Sylvestre, and the Assistant Librarian, Miss A. Pamela Hardisty on the project. Other members of the staff of the Library of Parliament also contributed in various ways to the compilation of these debates. And finally, I should like to thank the Queen's Printer, himself, Mr. Roger Duhamel, and the other normally unsung heroes of the production side who are ultimately responsible for the appearance of this project.

For myself, it has been an honour to be associated with such a worthwhile and enduring monument to former politicians whose parliamentary efforts will now, I hope, reach a larger public, and, in so doing, increase Canadian knowledge of, and respect for, both the House of Commons and the Senate of Canada.

ERIK J. SPICER,  
Parliamentary Librarian,  
Library of Parliament,  
Ottawa, Canada.

April 1967.



## INTRODUCTION

The publication of the debates of Parliament, 1867-1868, is a Centennial project of the Parliament of Canada, organized through the Library of Parliament. This undertaking is both useful and fascinating. The inadequacy of the "Scrapbook Debates" has long been felt, and particularly so for the lengthy and vital first session of Parliament that opened in Ottawa on Wednesday, November 6, 1867. The first speeches of the new Members of Parliament of the new Canada, reflecting their growing and broadening sense of common commitment to a common cause, and the impact of events themselves, such as the assassination of D'Arcy McGee on April 7, 1868, help to give these debates much of the vitality and spirit of Confederation itself.

The official debates of the Parliament of the Dominion of Canada were first published only in 1875. Between 1867 and 1874, debates were reported only in newspapers, or in a semi-official form such as the "Cotton" debates of 1870-2. In the British North American colonies before Confederation publishing debates was not established practice. Nova Scotia and Prince Edward Island had published debates, and once in a while so had New Brunswick, but the old Province of Canada had not, nor had Newfoundland. The one notable exception to the Province of Canada's lack of official debates was the official reporting of the debate on Confederation in 1865. (Not, by the way, the whole session of 1865.) It is fair to say that the 1032 pages of that Confederation debate of 1865 went a long way to persuade parliamentarians of the Province of Canada then, and afterward, that official publishing of debates brought out the worst habits of the *genus* MP: the long speeches for the delectation of constituents, the readings for the record, the interminable reworking of speeches that were not otherwise fit to appear in cold print. In short, Parliament boggled at the sheer volume of talk to be printed for what was then thought to be the doubtful edification of posterity.

As a result, after 1865 no further official debates were published by the Province of Canada, or by the Dominion of Canada, for another decade. Every year a few earnest souls, of whom Alexander Mackenzie was one, would propose that the House consider the question of official reporting of debates, and these efforts usually met with the same reaction. That in 1867-8 is quite characteristic. On Nov. 22, 1867 Mackenzie moved and Howe seconded a motion that the question of reporting debates be referred to the joint committee on printing. Mackenzie submitted on December 4, 1867, an interim report from the Printing Committee on the possible organization and costs of an official report of debates. It was not to be a verbatim report; it was to be compressed roughly to the reports current in the *Toronto Globe*, i.e., about one-third of the length of the original speech. The Prime Minister, Sir John A. Macdonald, said he did not care one way or the other, but was worried about the distortion that would occur in revision of speeches for the printer; D. A. McDonald (Glengarry) objected altogether, and said that the very fact of reporting would encourage the verbiage that had so notoriously plagued the Canadian Assembly at Quebec in the Confederation debate in 1865. Joseph Dufresne (Montcalm) remarked here that the best defence against long speeches would be absolutely verbatim reporting! The burst of laughter that greeted this sally brought the discussion that day to an end, and, although it was revived several times again during the session (and even reporters subsidized in case an official report was wanted), the project was killed, March 27, 1868, on a free vote, 94-48.

The truth was the reading public already had easy access to a form of parliamentary debates, and did not really feel it needed an official version; and this feeling was clearly shared by a substantial number of MP's. Nearly every newspaper supplied some account of the debates in the Commons, although the degree of compression from the original varied enormously. Incidentally, the Senate got increasingly

short shrift from the press, and ended having to subsidize the *Ottawa Times* in order to get any effective account of its proceedings at all. As for the Commons, the big daily papers in Montreal and Toronto did it fair justice, the best accounts being in the *Toronto Globe*, *Toronto Leader*, and *Montreal Gazette*, in about that order. The *Ottawa Times* is a special case, since it was trying hard to win an exclusive arrangement, but it was never quite able to cut out the competition from the big metropolitan dailies.

This edition of the Debates of the House of Commons is a collation of the debates in the *Ottawa Times* (Conservative), sometimes called the "Scrapbook Debates", (from their having been pasted up by an enterprising librarian), and the debates reported in the *Toronto Globe* (Reform). Several other newspapers were canvassed for the purpose, but these two papers turned out to offer the most comprehensive reports, and this has been the principal criterion in choosing the two papers, or deciding, in the case of a particular speech, between the two papers themselves.

I have tried to avoid intruding too much editing into these reports, fearing distortion, and have let them stand as they were, but the brevity of a report, or occasionally a long speech reported verbatim (doubtless paid for by the members concerned), is a weakness inherent in the system used. In truth, there is really no other system. Invariably I have chosen the longest report of a speech I could get, since the longer the report, the less the compression. Where the *Times'* report and the *Globe's* report was roughly equal I have taken the most literate and salty version. By and large the *Globe's* reports had more colour and vitality than the *Times'* which leaned more often in the direction of officialese—perhaps a reflection of the *Times'* hopes to become official reporters. When one report has something substantial that the other has not, I have interleaved reports, and there is no indication in this edition of where one report stops and the other begins. As the session went on into 1868, and perhaps as hopes for an official report began to dim, the *Times'* reports tended to shorten, and the debates from the later part of the session tend to be, increasingly, from the *Toronto Globe*.

It was disappointing to discover that French Canadian papers gave very short reports, even of speeches that were originally given in French. *La Minerve* of Montreal, *Le Pays* of Montreal, *Le Journal de Québec*, *Le Canada* of Ottawa, all, despite the parliamentary interests and commitments of their owners, can not be relied on for speeches in French. The English papers were, unfortunately, no better when it came to reporting speeches that had been given in French. It is clear from this, and from other evidence, that if an MP wanted to make any substantial impression at all on Parliament or public, he had to speak in English. The gist the English papers gave of French speeches was so thin as to be nearly useless. It is a pity in this respect that the French papers were not of more help; but it is fair to add here that they seem to have had a more substantial interest in the proceedings of the Quebec Assembly than did the English in their provincial assemblies (except in Nova Scotia); this, too, is reflection of the different appreciations of, and attitudes to, the new federal system.

One might have suspected political bias in the Parliamentary reporting of the newspapers, and doubtless one might be able to uncover it, but I have discerned very little. Occasionally a long speech of Macdonald's or Galt's was slightly shorter in the *Globe* than in, say, the *Toronto Leader* or *Montreal Gazette*, but there were other occasions when the report in the *Globe* of a Macdonald speech was longer than that in the Conservative press. There seems to have been no rule except that of reasonable reporting, and the space limits of the paper. This last was no inconsiderable limitation, especially with evening speeches, which could be heavily abbreviated as printing time approached.

The session of 1867-1868 was the longest session of the Parliament of Canada until the session of 1903. The session was in two parts from November 6th to December 21st, and from March 15th, 1868 until May 22nd. It dealt with a vast range of business, but its great fascination lies in its being the meeting ground for Nova Scotians, New Brunswickers, and Canadians from the old Province of Canada, now at grips with the problems of a new political dimension.



Making these debates available in official form was first proposed by Professor Norman Ward late in 1961, in a letter to the Speaker of the House of Commons, Hon. Roland Michener. It was subsequently taken up by the Parliamentary Librarian, Mr. Erik Spicer, as a project of Parliament for Canada's Centennial. Professor Ward had never expected to be able to organize the work, and I was approached in 1962 and the project was presented to Parliament and approved in May, 1963.

Various methods of proceeding with this vast debate of 1867-1868 were attempted, and ultimately it was found necessary, owing to the interleaving of reports, to produce a whole typed MS. of the Commons Debates, running to 1515 legal-size pages, about 600,000 words.

Here I must make kind acknowledgement for assistance in every respect to the Parliamentary Librarian, Mr. Erik Spicer, and to his staff, especially to the Associate Librarian, M. Guy Sylvestre, and the Assistant Librarian Miss Pamela Hardisty; in Halifax to Mrs. Mary Gilbert, who typed the whole MS, and to Mr. J. J. Tepas who laboured long and conscientiously on galley proof, and who helped me with page proof.

The imperfections in this version are numerous and frequently obvious; the reports are often uneven; they are certainly incomplete; there are places where one even has to strain sometimes for the sense; but they are the only version we have, or can have. Indeed they prove that official reporting had advantages, after all, whatever the Canadian Parliament may have thought of the idea before Alexander Mackenzie finally brought it in, in 1875. But, still more, the newspaper version of the House of Commons, 1867-1868, knots and all, has the strong grain of the best of Parliament in it; and with this cheerful reflection, Parliament redresses the decision of a hundred years ago, and presents its debates of 1867-8.

P. B. WAITE,  
Dalhousie University,  
Halifax, Nova Scotia.

January, 1967.



## CABINET MINISTERS

HOUSE OF COMMONS—FIRST PARLIAMENT  
FIRST SESSION—NOV. 6, 1867 TO MAY 22, 1868

Minister of Justice and Attorney General .....	Hon. Sir John Alexander Macdonald	July 1, 1867
Minister of Militia and Defence .....	Hon. Sir George Etienne Cartier	July 1, 1867
Minister of Customs .....	Hon. Samuel Leonard Tilley	July 1, 1867
Minister of Finance .....	Hon. Alexander Tilloch Galt	July 1, 1867- Nov. 7, 1867
	Hon. John Rose	Nov. 18, 1867
Minister of Public Works ..	Hon. William McDougall	July 1, 1867
Minister of Inland Revenue	Hon. William Pearce Howland	July 1, 1867
Secretary of State for the Provinces .....	Hon. Adams George Archibald	July 1, 1867
President of the Privy Council .....	Hon. Adam Johnston Fergusson Blair	July 1, 1867
Minister of Marine and Fisheries .....	Hon. Peter Mitchell	July 1, 1867
Postmaster General .....	Hon. Alexander Campbell	July 1, 1867
Minister of Agriculture ....	Hon. Jean Charles Chapais	July 1, 1867
Secretary of State of Canada .....	Hon. Hector Louis Langevin	July 1, 1867
Receiver General .....	Hon. Edward Kenny	July 1, 1867
Superintendent General of Indian Affairs .....	Hon. Hector Louis Langevin	July 1, 1867



## NAMES OF MEMBERS

IN ALPHABETICAL ORDER AND CONSTITUENCIES

Abbott, John Joseph Caldwell .....	Argenteuil, Quebec
Anglin, Hon. Timothy Warren .....	Gloucester, New Brunswick
Archambeault, Hon. Louis .....	L'Assomption, Quebec
Ault, Samuel .....	Stormont, Ontario
Beaty, James .....	Toronto City East, Ontario
Beaubien, Hon. Joseph Octave .....	Montmagny, Quebec
Béchar, François .....	Iberville, Quebec
Bellerose, Joseph Hyacinthe .....	Laval, Quebec
Benoit, Basile .....	Chambly, Quebec
Benson, Hon. James Rea .....	Lincoln, Ontario
Bertrand, Charles Frédéric Adolphe .....	Temiscouata, Quebec
Blake, Edward .....	Durham West, Ontario
Blanchet, Joseph Godéric .....	Lévis, Quebec
Bodwell, Ebenezer Vining .....	Oxford South, Ontario
Bolton, John .....	Charlotte, New Brunswick
Boucher de Niverville, Charles .....	Three Rivers, Quebec
Bourassa, François J. ....	St. John's, Quebec
Bowell, Mackenzie .....	Hastings North, Ontario
Bowman, Isaac Erb .....	Waterloo, North, Ontario
Bown, John Young .....	Brant North, Ontario
Brousseau, Jean Docile .....	Portneuf, Quebec
Brown, James .....	Hastings West, Ontario
Burpee, Charles .....	Sunbury, New Brunswick
Burton, Francis H. ....	Durham East, Ontario
Cameron, Hugh .....	Inverness, Nova Scotia
Cameron, Hon. John Hillyard .....	Peel, Ontario
Cameron, Malcolm Collin .....	Huron South, Ontario
Campbell, Hon. Stewart .....	Guysborough, Nova Scotia
Carling, Hon. John .....	London City, Ontario
Carmichael, James W. ....	Pictou, Nova Scotia
Caron, George .....	Maskinongé, Quebec
Cartier, Hon. George Etienne .....	Montreal East, Quebec
Cartwright, Richard John .....	Lennox, Ontario
Casault, Louis E. Napoleon .....	Bellechasse, Quebec
Cauchon, Hon. Joseph .....	Montmorency, Quebec
Cayley, Michael .....	Beauharnois, Quebec
Chamberlin, Brown .....	Missisquoi, Quebec
Chauveau, Hon. Pierre J. O. ....	Quebec County, Quebec
Cheval, Guillaume	
alias St. Jacques .....	Rouville, Quebec
Chipman, William Henry .....	King's, Nova Scotia
Cimon, Simon Xavier .....	Charlevoix, Quebec
Cockburn, Hon. James .....	Northumberland West, Ontario
Coffin, Thomas .....	Shelburne, Nova Scotia
Colby, Charles C. ....	Stanstead, Quebec
Connell, Hon. Charles .....	Carleton, New Brunswick
Costigan, John .....	Victoria, New Brunswick

Coupal dit Lareine, Sixte .....	Napierville, Quebec
Crawford, James .....	Brockville, Ontario
Crawford, John .....	Leeds South, Ontario
Croke, William Joseph .....	Richmond, Nova Scotia
Currier, Joseph M. ....	Ottawa City, Ontario
Daoust, Jean Baptiste .....	Two Mountains, Quebec
Desaulnier, Louis Léon Lesueur .....	St. Maurice, Quebec
Dobbie, Thomas William .....	Elgin East, Ontario
Dorion, Hon Antoine Aimé .....	Hochelaga, Quebec
Drew, George Alexander .....	Wellington North, Ontario
Dufresne, Joseph .....	Montcalm, Quebec
Dunkin, Hon. Christopher .....	Brome, Quebec
Ferguson, Thomas R. ....	Cardwell, Ontario
Ferris, John .....	Queen's, New Brunswick
Fisher, Hon. Charles .....	York, New Brunswick
Forbes, James F. ....	Queen's, Nova Scotia
Fortier, Moïse .....	Yamaska, Quebec
Fortin, Pierre .....	Gaspé, Quebec
Galt, Hon. Alexander Tilloch .....	Sherbrooke, Quebec
Gaucher, Guillaume Gamelin .....	Jacques Cartier, Quebec
Gaudet, Joseph .....	Nicolet, Quebec
Gendron, Pierre Samuel .....	Bagot, Quebec
Geoffrion, Félix .....	Verchères, Quebec
Gibbs, Thomas Nicholson .....	Ontario South, Ontario
Godin, François Benjamin .....	Joliette, Quebec
Grant, James Alexander .....	Russell, Ontario
Gray, Hon. John H. ....	Saint John, City and County, New Brunswick
Grover, Peregrine Maitland .....	Peterborough East, Ontario
Hagar, Albert .....	Prescott, Ontario
Harrison, Robert Alexander .....	Toronto City West, Ontario
Heath, Edmund .....	Pontiac, Quebec
Holmes, John .....	Carleton, Ontario
Holton, Hon. Luther H. ....	Chateauguay, Quebec
Howe, Hon. Joseph .....	Hants, Nova Scotia
Howland, Hon. William Pearce, C.B. ....	York West, Ontario
Huntingdon, Hon. Lucius Seth .....	Shefford, Quebec
Huot, Pierre Gabriel .....	Quebec East, Quebec
Hurdon, Francis .....	Bruce South, Ontario
Irvine, Hon. George .....	Megantic, Quebec
Jackson, George .....	Grey South, Ontario
Johnson, Hon. John M. ....	Northumberland, New Brunswick
Joly, Henry Gustave .....	Lotbinière, Quebec
Jones, Alfred Gilpin .....	Halifax, Nova Scotia
Jones, Francis .....	Leeds North, and Grenville North, Ontario
Keeler, Joseph .....	Northumberland East, Ontario
Kempton, George .....	Victoria South, Ontario
Kierzkowski, Hon. A. E. ....	St. Hyacinthe, Quebec
Killam, Hon. Thomas .....	Yarmouth, Nova Scotia
Kirkpatrick, Thomas .....	Frontenac, Ontario

Langevin, Hon. Hector Louis .....	Dorchester, Quebec
Langlois, Jean .....	Montmorency
Lapum, James N. ....	Addington, Ontario
Lawson, Peter .....	Norfolk South, Ontario
Little, William Carruthers .....	Simcoe South, Ontario
McCallum, Lachlin .....	Monck, Ontario
McCarthy, Thomas .....	Richelieu, Quebec
McConkey, Thomas David .....	Simcoe North, Ontario
McDonald, Angus Peter .....	Middlesex West, Ontario
Macdonald, Donald Alexander .....	Glengarry, Ontario
McDonald, E. M. ....	Lunenburg, Nova Scotia
McDonald, Hugh .....	Antigonish, Nova Scotia
Macdonald, Hon. Sir John A., K.C.B. ....	Kingston, Ontario
Macdonald, Hon. John S. ....	Cornwall, Ontario
McDougall, Hon. William, C.B. ....	Lanark North, Ontario
Macfarlane, Robert .....	Perth South, Ontario
McGee, Hon. Thomas D'Arcy .....	Montreal West, Quebec
McGreevy, Thomas .....	Quebec West, Quebec
McKeagney, Hon. James .....	Cape Breton, Nova Scotia
Mackenzie, Alexander .....	Lambton, Ontario
McLachlin, Daniel .....	Renfrew South, Ontario
McLellan, Archibald Woodbury .....	Colchester, Nova Scotia
McMillan, Donald .....	Vaudreuil, Quebec
McMillan, Hon. John .....	Restigouche, New Brunswick
McMonies, James .....	Wentworth North, Ontario
Magill, Charles .....	Hamilton (City), Ontario
Masson, Louis François Rodrigue .....	Terrebonne, Quebec
Masson, Luc Hyacinthe .....	Soulanges, Quebec
Metcalfe, James .....	York East, Ontario
Mills, David .....	Bothwell, Ontario
Morison, John .....	Victoria North, Ontario
Morris, Alexander .....	Lanark South, Ontario
Morrison, Angus .....	Niagara, Ontario
Munroe, John H. ....	Elgin West, Ontario
O'Connor, John .....	Essex, Ontario
Oliver, Thomas .....	Oxford North, Ontario
Pâquet, Anselme Homère .....	Berthier, Quebec
Parker, Thomas Sutherland .....	Wellington Centre, Ontario
Perry, Charles .....	Peterborough West, Ontario
Pinsonneault, Alfred .....	Laprairie, Quebec
Pope, John Henry .....	Compton, Quebec
Pouliot, Barthelemy .....	L'Islet, Quebec
Power, Patrick .....	Halifax, Nova Scotia
Pozer, Christian Henry .....	Beauce, Quebec
Rankin, John .....	Renfrew North, Ontario
Ray, William H. ....	Annapolis, Nova Scotia
Read, Hon. Robert .....	Hastings East, Ontario
Redford, James .....	Perth North, Ontario
Renaud, Auguste .....	Kent, New Brunswick
Robitaille, Théodore .....	Bonaventure, Quebec
Rose, Hon. John .....	Huntingdon, Quebec
Ross, John Jones .....	Champlain, Quebec
Ross, John Sylvester .....	Dundas, Ontario
Ross, Walter .....	Prince Edward, Ontario
Ross, William .....	Victoria, Nova Scotia
Ryan, George .....	King's, New Brunswick
Rymal, Joseph .....	Wentworth South, Ontario

Savary, Alfred W. ....	Digby, Nova Scotia
Scatcherd, Thomas .....	Middlesex North, Ontario
Sénécal, Louis Adélaré .....	Drummond and Arthabaska, Quebec
Shanly, Walter .....	Greenville South, Ontario
Simard, George Honoré .....	Quebec, Centre
Simpson, Wemyss Mackenzie .....	Algoma, Ontario
Smith, Hon. Albert James .....	Westmoreland, New Brunswick
Snider, George .....	Grey North, Ontario
Sproat, Alexander .....	Bruce North, Ontario
Stephenson, Rufus .....	Kent, Ontario
Stirton, David .....	Wellington South, Ontario
Street, Thomas Clark .....	Welland, Ontario
Sylvain, George .....	Rimouski, Quebec
Thompson, David .....	Haldimand, Ontario
Thompson, John Hall .....	Ontario North
Tilley, Hon. Samuel Leonard .....	Saint John City, New Brunswick
Tremblay, Pierre Alexis .....	Chicoutimi and Saguenay, Quebec
Tupper, Hon. Charles, C.B. ....	Cumberland, Nova Scotia
Wallace, John .....	Albert, New Brunswick
Walsh, Aquila .....	Norfolk North, Ontario
Webb, William Hoste .....	Richmond and Wolfe, Quebec
Wells, James Pearson .....	York North, Ontario
White, John .....	Halton, Ontario
Whitehead, Joseph .....	Huron North, Ontario
Willson, Crowell .....	Middlesex East, Ontario
Wood, Edmund Burke .....	Brant South, Ontario
Workman, Thomas .....	Montreal Centre
Wright, Alonzo .....	Ottawa County, Quebec
Young, James .....	Waterloo South, Ontario



## CONSTITUENCIES BY PROVINCES WITH NAMES OF MEMBERS ELECTED

### PROVINCE OF NEW BRUNSWICK

Albert .....	John Wallace, Esquire
Carleton .....	Hon. Charles Connell
Charlotte .....	John Bolton, Esquire
Gloucester .....	Hon. Timothy Warren Anglin
Kent .....	Auguste Renaud, Esquire
King's .....	George Ryan, Esquire
Northumberland .....	Hon. John M. Johnson
Queen's .....	John Ferris, Esquire
Restigouche .....	Hon. John McMillan
Sunbury .....	Charles Burpee, Esquire
St. John (City & County) .....	Hon. John H. Gray
St. John (City) .....	Hon. Samuel Leonard Tilley, C.B.
Victoria .....	John Costigan, Esquire
Westmoreland .....	Hon. Albert James Smith
York .....	*Hon. Charles Fisher

### PROVINCE OF NOVA SCOTIA

Annapolis .....	William H. Ray, Esquire
Antigonish .....	Hugh McDonald, Esquire
Cape Breton .....	*Hon. James McKeagney
Colchester .....	Archibald Woodbury McLellan, Esquire
Cumberland .....	Hon. Charles Tupper, C.B.
Digby .....	Alfred W. Savary, Esquire
Guysborough .....	*Hon. Stewart Campbell
Halifax .....	{Alfred Jones, Esquire
Hants .....	{Patrick Power, Esquire
Inverness .....	Hon. Joseph Howe
King's .....	Hugh Cameron, Esquire
Lunenburg .....	Wm. Henry Chipman, Esquire
Pictou .....	E. M. McDonald, Esquire
Queen's .....	James W. Carmichael, Esquire
Richmond .....	James S. Forbes, Esquire
Shelburne .....	Wm. Joseph Croke, Esquire
Victoria .....	*Thomas Coffin, Esquire
Yarmouth .....	*Wm. Ross, Esquire
	Hon. Thomas Killam

### PROVINCE OF ONTARIO

Addington .....	James N. Lapum, Esquire
Algoma (The Provisional Judicial District of)	Wemyss Mackenzie Simpson, Esquire
Bothwell .....	David Mills, Esquire
Brant (North Riding) .....	John Young Bown, Esquire
Brant (South Riding) .....	Hon. Edmund Burke Wood
Brockville (Town), with the Township of Elizabethtown thereto attached .....	James Crawford, Esquire
Bruce (North Riding) .....	Alexander Sproat, Esquire
Bruce (South Riding) .....	Francis Hurdon, Esquire

PROVINCE OF ONTARIO—Continued

Cardwell .....	Thomas R. Ferguson, Esquire
Carleton .....	John Holmes, Esquire
Cornwall (Town), with the Township of Cornwall thereto attached .....	Hon. John S. Macdonald
Dundas .....	*John Sylvester Ross, Esquire
Durham (East Riding) .....	Francis H. Burton, Esquire
Durham (West Riding) .....	Edward Blake, Esquire
Elgin (East Riding) .....	Thomas William Dobbie, Esquire
Elgin (West Riding) .....	John H. Munroe, Esquire
Essex .....	John O'Connor, Esquire
Frontenac .....	Thomas Kirkpatrick, Esquire
Glengarry .....	*Donald Alexander Macdonald, Esquire
Grenville (South Riding) .....	Walter Shanly, Esquire
Grey (South Riding) .....	George Jackson, Esquire
Grey (North Riding) .....	George Snider, Esquire
Haldimand .....	David Thompson, Esquire
Halton .....	John White, Esquire
Hamilton (City) .....	*Charles Magill, Esquire
Hastings (West Riding) .....	James Brown, Esquire
Hastings (East Riding) .....	Hon. Robert Read
Hastings (North Riding) .....	Mackenzie Bowell, Esquire
Huron (North Riding) .....	Joseph Whitehead, Esquire
Huron (South Riding) .....	Malcolm Collin Cameron, Esquire
Kent .....	Rufus Stephenson, Esquire
Kingston .....	Hon. Sir John A. Macdonald, K.C.B.
Lambton .....	Alexander Mackenzie, Esquire
Lanark (North Riding) .....	*Hon. Wm. McDougall, C.B.
Lanark (South Riding) .....	*Alexander Morris, Esquire
Leeds (North Riding) and Grenville (North Riding) .....	Francis Jones, Esquire
Leeds (South Riding) .....	John Crawford, Esquire
Lennox .....	Richard John Cartwright, Esquire
Lincoln .....	*Hon. James Rea Benson
London (City) .....	Hon. John Carling
Middlesex (North Riding) .....	Thomas Scatcherd, Esquire
Middlesex (West Riding) .....	Angus Peter McDonald, Esquire
Middlesex (East Riding) .....	Crowell Wilson, Esquire
Monck .....	Lachlin McCallum, Esquire
Niagara (Town), with the Township of Nia- gara thereto attached .....	Angus Morrison, Esquire
Norfolk (South Riding) .....	Peter Lawson, Esquire
Norfolk (North Riding) .....	Aquila Walsh, Esquire
Northumberland (East Riding) .....	Joseph Keeler, Esquire
Northumberland (West Riding) excepting therefrom the Township of South Monag- han .....	*Hon. James Cockburn
Ontario (North Riding) .....	John Hall Thompson, Esquire
Ontario (South Riding) .....	Thomas Nicholson Gibbs, Esquire
Ottawa (City) .....	Joseph M. Currier, Esquire
Oxford (North Riding) .....	Thomas Oliver, Esquire
Oxford (South Riding) .....	*Ebenezer Vining Bodwell, Esquire
Peel .....	Hon. John Hillyard Cameron
Perth (North Riding) .....	James Redford, Esquire
Perth (South Riding) .....	Robert Macfarlane, Esquire
Peterborough (West Riding) .....	Charles Perry, Esquire
Peterborough (East Riding) .....	Pe'regrine Maitland Grover, Esquire
Prescott .....	Albert Hagar, Esquire

PROVINCE OF ONTARIO—Continued

Prince Edward .....	Walter Ross, Esquire
Renfrew (South Riding) .....	*Daniel McLachlin, Esquire
Renfrew (North Riding) .....	John Rankin, Esquire
Russell .....	James Alexander Grant, Esquire
Simcoe (North Riding) .....	*Thomas David McConkey, Esquire
Simcoe (South Riding) .....	Wm. Carruthers Little, Esquire
Stormont .....	Samuel Ault, Esquire
Toronto (City) West .....	Robert Alexander Harrison, Esquire
Toronto (City) East .....	James Beaty, Esquire
Victoria (South Riding) .....	George Kempt, Esquire
Victoria (North Riding) .....	John Morison, Esquire
Waterloo (North Riding) .....	*Isaac Erb Bowman, Esquire
Waterloo (South Riding) .....	James Young, Esquire
Welland .....	*Thomas Clark Street, Esquire
Wellington (North Riding) .....	George Alexander Drew, Esquire
Wellington (Centre Riding) .....	*Thomas Sutherland Parker, Esquire
Wellington (South Riding) .....	David Stirton, Esquire
Wentworth (North Riding) .....	James McMonies, Esquire
Wentworth (South Riding) .....	Joseph Rymal, Esquire
York (North Riding) .....	*James Pearson Wells, Esquire
York (East Riding) .....	James Metcalfe, Esquire
York (West Riding) .....	Hon. Wm. Pearce Howland, C.B.

PROVINCE OF QUEBEC

Argenteuil .....	Hon. John Joseph Caldwell Abbott
Bagot .....	Pierre Samuel Gendron, Esquire
Beauce .....	Christian Henry Pozer, Esquire
Beauharnois .....	Michael Cayley, Esquire
Bellechasse .....	Napoleon Casault, Esquire
Berthier .....	Anselme Homère Pâquet, Esquire
Bonaventure .....	Théodore Robitaille, Esquire
Brome .....	*Hon. Christopher Dunkin
Chambly .....	Basile Benoit, Esquire
Champlain .....	John Jones Ross, Esquire
Charlevoix .....	Simon Xavier Cimon, Esquire
Chateauguay .....	Hon. Luther H. Holton
Chicoutimi and Saguenay .....	*Pierre Alexis Tremblay, Esquire
Compton .....	*John Henry Pope, Esquire
Dorchester .....	*Hon. Hector Louis Langevin
Drummond and Arthabaska .....	Louis Adelard Sénécal, Esquire
Gaspé .....	*Pierre Fortin, Esquire
Hochelaga .....	Hon. Antoine Aimé Dorion
Huntingdon .....	Hon. John Rose
Iberville .....	François Béchar, Esquire
Jacques Cartier .....	Guillaume Gamelin Gaucher, Esquire
Joliette .....	François Benjamin Godin, Esquire
Kamouraska .....	C. A. P. Pelletier
Laprairie .....	Alfred Pinsonneault, Esquire
L'Assomption .....	Hon. Louis Archambeault
Laval .....	*Joseph Hyacinthe Bellerose, Esquire
Lévis .....	*Joseph Goderic Blanchet, Esquire
L'Islet .....	Barthelemy Pouliot, Esquire
Lotbinière .....	*Henry Gustave Joly, Esquire
Maskinongé .....	George Caron, Esquire
Megantic .....	Hon. George Irvine
Missisquoi .....	Brown Chamberlin, Esquire
Montcalm .....	*Joseph Dufresne, Esquire

PROVINCE OF QUEBEC—Continued

Montmagny .....	*Hon. Joseph Octave Beaubien
Montmorency .....	*Hon. Joseph Cauchon Jean Langlois
Montreal (City) West .....	Hon. Thomas D'Arcy McGee
Montreal (City) Centre .....	*Thomas Workman, Esquire
Montreal (City) East .....	Hon. George Etienne Cartier
Napierville .....	Sixte Coupal dit Lareine, Esquire
Nicolet .....	Joseph Gaudet, Esquire
Ottawa County .....	*Alonzo Wright, Esquire
Pontiac .....	*Edmund Heath, Esquire
Portneuf .....	Jean Docile Brousseau, Esquire
Quebec (City) East .....	*Pierre Gabriel Huot, Esquire
Quebec (City) Centre .....	George Honoré Simard, Esquire
Quebec (City) West .....	*Thomas McGreevy, Esquire
Quebec (County) .....	*Hon. Pierre J. O. Chauveau
Richmond and Wolfe .....	William Hoste Webb, Esquire
Richelieu .....	Thomas McCarthy, Esquire
Rimouski .....	George Sylvain, Esquire
Rouville .....	Guillaume Cheval, alias St. Jacques, Es- quire
St. Hyacinthe .....	Hon. A. E. Kierzkowski
St. John's .....	François Bourassa, Esquire
St. Maurice .....	*Louis Léon Lesueur Desaulnier, Esquire
Shefford .....	Hon. Lucius Seth Huntington
Sherbrooke (Town) .....	*Hon. Alexander Tilloch Galt
Soulanges .....	Luc Hyacinthe Masson, Esquire
Stanstead .....	Charles C. Colby, Esquire
Temiscouata .....	*Chas. Frédéric Adolphe Bertrand, Esquire
Terrebonne .....	*Louis François Rodrigue Masson, Esquire
Three Rivers (Town) .....	Charles Boucher de Niverville, Esquire
Two Mountains .....	*Jean Baptiste Daoust, Esquire
Vaudreuil .....	*Donald McMillan, Esquire
Verchères .....	Felix Geoffrion, Esquire
Yamaska .....	Moise Fortier, Esquire

\*Acclamation

HOUSE OF COMMONS  
DEBATES

1867—1868



## CANADA

# Debates of the House of Commons

for the

First session of the First Parliament of the Dominion of Canada called for the despatch of business on the 6th. day of November, 1867.

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**Wednesday, 6th November, 1867**

The Parliament met this day for the despatch of business at three p.m.

The Clerk took the chair and the Sergeant-at-arms announced Rene Kimber, Esquire, Gentleman Usher of the Black Rod, with a message, that His Excellency, The Governor General, desires the immediate attendance of this Honourable House in the Senate Chamber.

Accordingly the Members went to attend His Excellency in the Senate Chambers;

Where being,

The Honourable the Speaker of the Senate said;—

Honourable Gentlemen, and Gentlemen of the House of Commons;

His Excellency the Governor General does not see fit to declare the causes of His summoning the present Parliament of the Dominion of Canada until a Speaker of the House of Commons shall have been chosen according to law, but that to-morrow, at the hour of three o'clock in the afternoon, His Excellency will declare the causes of His calling this Parliament.

And the Members being returned;

**Sir John A. Macdonald** said that the House having just been instructed by the representative of Her Majesty to proceed to elect a Speaker, he begged to call the attention of the House to the discharge of that duty. Great qualifications were required in a member of this House who would worthily occupy that high, honourable and distinguished position. He should be a man of parliamentary experience, well acquainted with the practice of parliament, versed in the mode of conducting the business of this House, and able to decide promptly and correctly the various questions of practice and order which would come before Parliament, his demeanour at the same time must be agreeable and courtly. He believed that on his mentioning the name of the honourable gentleman who he would propose should be called to the Speaker's

chair, all who knew that honourable gentleman, would agree with him that he possessed all the requisites for the position. He had much pleasure in moving that the Hon. James Cockburn, member for the West Riding of Northumberland, do take the chair. Mr. Cockburn had sat in the Legislature of the Province of Canada during two Parliaments having been thrice elected for the same constituency, and twice by acclamation. During the period he had been in Parliament he had been an active member, he at once took such a position that ere long he was invited to become a member of the Government. In 1864, he entered the Government of which he (Sir John) had the honour to be a member, taking the office of Solicitor-General for Upper Canada, and he could testify to the great assistance which, in that capacity, he gave to him (Sir John) as Attorney-General and leader of the House; and all his colleagues could, in like manner, speak of the skill with which he managed all the affairs of his department. In all the legislation, specially applying to Upper Canada, he trusted greatly to the assistance of the Solicitor-General, and he was gratified, therefore, to speak of the ability and legal lore which Mr. Cockburn displayed acting as his colleague. To these gentlemen who had the pleasure of knowing Mr. Cockburn, he would say nothing as to his demeanour as a gentleman, and the courteous style of his address. He felt that he need say nothing further as to the hon. gentleman's qualifications, and would now, therefore, move that the Hon. James Cockburn do take the chair.

**Hon. Mr. Cartier** seconded the motion, supporting it in a few remarks in French substantially to the same effect as those of the Minister of Justice.

**Mr. Dufresne** addressed the House in French, expressing his dissatisfaction at the nomination of Mr. Cockburn, on the ground that that gentleman could not speak the French language. He thought it was to be

regretted that, at the inauguration of a new system, greater respect was not shown to Lower Canada in this matter. He looked upon this as a matter of national feeling. In the Constitution of the Dominion it was provided that all official documents should be printed in both languages, and the principle which lay at the foundation of the provision should, he thought, be carried out in the nomination of a speaker.

**Hon. Mr. Cartier** replied, that though Mr. Cockburn did not speak French he understood it, and in that respect was in the same position as Speakers of the Canadian House under the former Constitution—such as Mr. Sandfield Macdonald, Sir Henry Smith and Mr. Walbridge.

The motion having been put by the Clerk, the Hon. James Cockburn was unanimously elected Speaker, and was conducted to the chair by Sir John A. Macdonald and Mr. Cartier.

**Mr. Cockburn**, having taken the chair, tendered to the House his grateful acknowledgements for the honour conferred on him in electing him to that position. He said it would be his duty and his pleasure to decide all questions that might be raised in this House, for the consideration of the chair, with the utmost impartiality. The questions which had to be decided were, many of them, of so great importance that he might well shrink from the responsibility of disposing of them, but he felt reassured by the fact that there were hon. gentlemen on the floor who would kindly assist him, gentlemen of long parliamentary experience, who would lend him the

benefit of that experience and enable him to decide such questions as might arise in accordance with the long established practice of Parliament.

**Sir John A. Macdonald** moved that the house do now adjourn till half-past two tomorrow, His Excellency having intimated that he would come down at three. He begged also to take this opportunity of giving notice with respect to the rules to be adopted for the guidance of Parliament that he would follow the course taken in 1841, and would move that a select committee be appointed to frame rules and regulations for the government of the House. The committee would, of course, have to be very carefully chosen. The gentlemen selected would be from both sides of the House and from all portions of the Dominion. They would examine the practice and rules which had prevailed in Canada, and in Nova Scotia, and New Brunswick, and would report a code of rules to this House, but meanwhile he should move that the practice of Parliament as it prevailed in Canada during last Parliament should be the rules in force until the new rules were reported to and accepted by the House. He might say to those gentlemen who did belong to the Parliament of the late Province of Canada, that the rules of that Parliament were carefully settled about three years ago, and were almost identical with the rules and regulations and standing and sessional orders of the House of Commons, in England, except in so far as they had to be modified to suit the different circumstances of the Province.

The motion was agreed to and the House adjourned till half-past two tomorrow.

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## HOUSE OF COMMONS

Thursday, 7th November, 1867

A Message was brought by Rene Kimber, Esquire, Gentleman Usher of the Black Rod:—

Mr. Speaker,

His Excellency the Governor General desires the immediate attendance of this Honourable House in the Senate Chamber.

Accordingly, Mr. Speaker elect, with the House, went to the Senate Chamber:—

And there Mr. Speaker spoke to the following effect, viz.:—

May it please your Excellency:

The House of Commons have elected me as their Speaker, though I am but little able to fulfil the important duties thus assigned to me.

If, in the performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me, and not to the Commons, whose servant I am, and who through me, the better to enable them to discharge their duty to their Queen and Country, humbly claim all their undoubted rights and privileges, especially, that they may have freedom of speech in their debates, access to Your Excellency's person at all reasonable times, and that their proceedings may receive from Your Excellency the most favourable interpretation.

Then the Honourable the Speaker of the Senate said:—

Mr. Speaker,

I am commanded by His Excellency the Governor General to declare to you that he freely confides in the duty and attachment of The House of Commons to Her Majesty's person and Government, and not doubting that their proceedings will be conducted with wisdom, temper, and prudence, he grants, and upon all occasions will recognize and allow, their constitutional privileges.

I am commanded also to assure you that the Commons shall have ready access to His Excellency upon all reasonable occasions, and that their proceedings, as well as your words and actions, will constantly receive from him the most favourable construction.

The House being returned;

Mr. Speaker reported, That the House had been in the Senate Chamber, and that he had informed His Excellency that the choice of Speaker had fallen upon him and also in the name of this House, and on their behalf, he had laid claim to all their Rights and Privileges, that they may enjoy freedom of speech in their Debates, and have access to His Excellency's person as occasion shall require, and that all their proceedings may receive

from His Excellency the most favourable construction; to which His Excellency was pleased to say that he readily and willingly granted and allowed the Commons their constitutional privileges, as well as ready access to His Excellency on all seasonal occasions, and that their proceedings, as well as their words and actions, will constantly receive from him the most favourable construction.

ORDERED, That the Honourable Sir John A. Macdonald have leave to bring in a Bill respecting the administration of Oaths of Office.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Mr. Speaker reported, That when the House did attend His Excellency the Governor General, this day, in the Senate Chamber, His Excellency was pleased to make a Speech to both Houses of Parliament, of which Mr. Speaker said he had, to prevent mistakes, obtained a copy, which he read to the House, as followeth:—

Honourable Gentlemen of the Senate;

Gentlemen of the House of Commons:

In addressing for the first time the Parliamentary Representatives of the Dominion of Canada, I desire to give expression to my own deep feeling of gratification that it has been my high privilege to occupy an official position which has made it my duty to assist at every step taken in the creation of this great Confederation.

I congratulate you on the Legislative sanction which has been given by the Imperial Parliament, to the Act of Union, under the provisions of which we are now assembled, and which has laid the foundation of a new Nationality that I trust and believe will, ere long, extend its bounds from the Atlantic to the Pacific Ocean.

In the discussions which preceded the introduction of this measure in the Imperial Parliament, between the Members of Her Majesty's Government on the one side, and the Delegates who represented the Provinces now united on the other,—it was apparent to all those who took part in those conferences, that, while Her Majesty's Ministers considered and pressed the principle of Union as a subject of great Imperial interest, they allowed to the Provincial Representatives every freedom in arranging the mode in which that principle should be applied.

In a similar spirit of respect for your privileges, as a free and self-governing people, the Act of Union, as adopted by the Imperial Parliament, imposes the duty and confers upon you the right of reducing to practice the system of Government.

which it has called into existence, of consolidating its institutions, harmonizing its administrative details, and of making such legislative provisions as will secure to a constitution, in some respects novel, a full, fair, and unprejudiced trial.

With the design of effecting these objects, measures will be laid before you for the amendment and assimilation of the laws now existing in the several Provinces relating to Currency, Customs, Excise, and Revenue generally,—for the adoption of a uniform Postal System,—for the proper management and maintenance of the Public Works and Properties of the Dominion,—for the adoption of a well-considered scheme of Militia Organization and Defence, for the proper administration of Indian affairs,—for the introduction of uniform Laws respecting Patents of Invention and Discovery,—the naturalization of Aliens,—and the assimilation of the Criminal Law, and the Laws relating to Bankruptcy and Insolvency.

A measure will also be submitted to you, for the performance of the duty imposed upon Canada, under the terms of the Union Act, of immediately constructing the Intercolonial Railroad.

This great work will add a practical and physical connection to the legislative bond which now unites the Provinces comprising the Dominion, and the liberality with which the guarantee for the cost of its construction was given by the Imperial Parliament is a new proof of the hearty interest felt by the British people in your prosperity.

Your consideration will also be invited to the important subject of Western Territorial extension, and your attention will be called to the best means for the protection and development of our Fisheries and Marine Interests.

You will also be asked to consider measures defining the privileges of Parliament and for the establishing of uniform laws relating to Elections, and the trial of Controverted Elections.

Gentlemen of the House of Commons;

The circumstances under which the Act of Union came into operation, rendered it impossible to

obtain the assent of the Legislature to the expenditure for carrying on the ordinary business of the Government.

The expenditure since the first of July has therefore been incurred on the responsibility of Ministers of the Crown.

The details of that expenditure will be laid before you, and submitted for your sanction.

I have directed that the Estimates for the current and succeeding Financial Year shall be laid before you. You will find that they have been framed with all the attention to economy which is compatible with the maintenance of efficiency in the different Branches of the Public Service.

Honourable Gentlemen and Gentlemen;

The general organization and efficiency of the Volunteers and Militia have been greatly improved within the last year, and the whole Volunteer Force of Ontario and Quebec is already, by the liberality of the Imperial Government, armed with the Breech-loading Rifle.

I am happy to be able to congratulate you on the abundant harvest with which it has pleased Providence to bless you, and on the general prosperity of the Dominion.

Your new nationality enters on its course backed by the moral support, the material aid, and the most ardent good wishes of the Mother Country. Within your own borders peace, security and prosperity prevail, and I fervently pray that your aspirations may be directed to such high and patriotic objects, and that you may be endowed with such a spirit of moderation and wisdom as will cause you to render the great work of Union which has been achieved, a blessing to yourselves and your posterity, and a fresh starting point in the moral, political and material advancement of the people of Canada.

Sir John A. Macdonald moved that His Excellency's speech be taken into consideration to-morrow.—Carried.

## HOUSE OF COMMONS

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Friday, November 8, 1867

The Speaker took the chair at three o'clock.

### THE ADDRESS

Sir John A. Macdonald moved that the House proceed to take into consideration His Excellency's Speech at the opening of the session, which was agreed to.

Hon. Charles Fisher, member for York, N.B., then moved that the House do agree in an humble address to His Excellency the Governor-General, in reply to His Excellency's speech at the opening of the session. Mr. Fisher spoke for about an hour, commenting seriatim on the paragraphs of the Address—which was, as usual, an echo of the Speech from the Throne—referring to His Excellency's expression of gratification that he had been able to assist at every step taken in the creation of this Confederation. He alluded to the fact that not only as Governor-General of Canada, but in the House of Lords, as Peer of the Realm, Lord Monck had given valuable aid in carrying the measure of Colonial Union to its consummation. He then glanced briefly at the history of the measure, from its inception in the reports of a committee of the Canadian Assembly, in favour of Confederation, down to the passage of the Imperial Act. He remarked, however, that long before these recent steps were taken, the Union of the British Provinces had been a favourite project of many public men in all the Colonies. It had been a day-dream of his own from the time when he first entered public life. Although he little expected then that he would occupy his present position of addressing the assembled wisdom of Canada and calling upon his fellow representatives from the different portions of the Dominion to join in congratulations on the accomplishment of the Union, he had pleasure in adding his personal testimony to the reference made in the speech to the freedom allowed by the Imperial authorities to the provincial authorities in arranging the mode in which the principle of union should be applied. The only point on which any differences arose was as to the composition of the Senate. Although he had always belonged to the great party of progress, he had looked upon it

as important that there should be an immediate body between the Crown and the people, which should restrain the progress of public opinion until that opinion became settled, clear and defined. At the same time, he had felt that the constitution of the Senate as agreed upon at the Quebec conference was deficient in the elasticity which formed an essential feature of the British Constitution. Mr. Cardwell made this an objection to the Quebec resolutions, and it became a point of controversy between the delegates and the British Ministers; but after a good deal of discussion, a mode of meeting the difficulty received the assent of the Imperial Government and of the Colonial representatives, and was embodied in the Act of Union. Referring to the paragraph which acknowledged the respect shown for our privileges as a free and self-governing people by the British Government, Mr. Fisher said that if there was any one feeling which predominated among the whole people of these Colonies, it was one of loyalty to the Queen of these realms. It was most desirable that the people of these lands, appreciating the privileges we enjoyed as part of an empire greater than Rome in its palmiest days, should so construct our constitutional system as to perpetuate to the end of time those institutions and privileges which had secured to the Mother Country its position among the nations of the world. In this connection, he alluded briefly to the struggles for responsible government which had taken place in various colonies, and to the honourable part taken in those struggles by the member for Hants, Hon. Joseph Howe, and others. Referring to the different questions on which legislation was promised, he said it would give general satisfaction to know that something was to be done about the currency. In the Lower Provinces, at least, the currency was very scarce, and any means which might be devised to increase it should have his support. An idea had got abroad there that a great monetary institution in Montreal had been allowed to bring under its control the whole of the banking institutions of the country. In the arrangement of the customs, excise and revenue, he trusted a due regard would be had to the principles of free trade, while attention was paid at the same time, to benefiting the productive industry of our

country. He hoped, also, the Government would keep in view a better exchange of our products with the neighbouring and other countries. The attention of the Legislature was invited to a well considered scheme of Militia organization and defence. He (Mr. Fisher) was not much of a military man himself; but military talk was the fashion now, and as the ladies say, "you might as well be out of the world as out of the fashion." Having assumed the position of a new nationality, we must be prepared to incur its responsibilities and discharge its duties. It was necessary to have a certain amount of military preparation, and he knew it would be the pride of the people of these countries to provide, to the extent of their ability, the means of defence. Measures were promised for the assimilation of the criminal law, and the laws relating to bankruptcy and insolvency. He thought it very desirable that, as soon as possible, all other laws should be assimilated. This would tend to strengthen the union of the colonies. He believed there was no more important duty devolving on this legislature than the introduction of a proper system of bankruptcy and insolvency, provision should be made that the honest debtor when he made a fair exhibition of his affairs, should not be driven from the country but should have it in his power to make a fresh start and obtain a livelihood for his wife and children. Reference was made to the construction of the Intercolonial Railway. If the best line was selected traversing a portion of New Brunswick which was making rapid progress, and had every facility for mills and manufactures, he believed it could be built for the amount of money guaranteed by the Imperial Government. He asked the House not to allow this question to become one entirely of politics, but to let the broad interests of the country and the necessities of commerce be considered. The subject of Western territorial extension was also one of great importance. From the head of Canada to the Rocky Mountains, there was a country to be colonized, full of the elements of wealth. To make use of the old patriarchal language, he would say "let us go up and possess the land." When at Detroit, about a year ago, an American friend said to him—"If you don't go up there pretty soon, we will squat you out." He hoped this question would be taken up in a large and liberal spirit. In the framing of a uniform election law, we would have the benefit of the recent discussions on the suffrage and franchise in the Parliament of England. He hoped that in any provisions that might be made relating to

[Mr. Fisher (York)]

the franchise, due regard would be had to the combined influence of intelligence and property. The estimates to be laid before the House would, no doubt, receive its attentive consideration. He might say that in New Brunswick, they thought the people in Canada were apt to be extravagant, and they had some fear on account of this, that the Union might not work well. He might confess he had been somewhat affected by that fear himself. At present, things were in a transition state. Parties by and by would be defined and would take sides as naturally as water ran down a slope; but at present we must work our system by what was called a Coalition; and he trusted that in carrying on that Government, due attention would be paid to economy. After adverting to the other points mentioned in the address, Mr. Fisher concluded by expressing the hope that in the working of this Union, peace and happiness, religion and piety, truth and virtue, would be established in these lands, and would continue to flourish through all generations. He resumed his seat amidst general applause.

Mr. Desaulnier, member for St. Maurice, Quebec, seconded the address. He said that for a French Canadian he congratulated the House on the adoption of Confederation, which gave his countrymen the best safeguard for their peculiar national interests. He remarked that the speech pointed to many subjects, probably too numerous for one session. He noticed the necessity of settling the currency question, and for relieving the country people from the silver nuisance. He asked postal reform in the direction of reducing letter postage and abolishing newspaper postage. He expressed the hope that the greatest economy would prevail in the Government and public works, especially in the matter of the Intercolonial Railroad.

It was then agreed that the Address should be moved paragraph by paragraph.

The first paragraph having been moved, explanations as to the resignation of seats in the Cabinet by Hon. Messrs. Archibald and Galt were given.

#### MINISTERIAL EXPLANATIONS

Sir John A. Macdonald briefly explained the circumstances connected with the resignation of the Secretary of State for the Provinces, and of the Minister of Finance. The former had resigned because of the adverse verdict of his constituents, and the latter for reasons of a private nature. The Government deeply regretted to lose their colleague, who,

like the member for Sherbrooke, had a profound knowledge of all questions of finance, and whose kindly and effective assistance in all matters connected with public policy, they had so long enjoyed.

**Hon. Mr. Galt** said it was always embarrassing to make personal explanations, especially when they were based, not upon a public act, but upon private reasons. He fully recognized the responsibility of the step he had taken in retiring from Her Majesty's Government so soon before the meeting of Parliament, and he would probably be exposed to the charge of having unduly interfered with the proper conduct of the public business. The House was aware that the motives which entered into the mind of one who took the step which he had taken, were varied in their character. He did not propose to state all the various motives and processes of reasoning by which he had arrived at the conclusion that his proper duty was to be in the House as a private member and not as a member of the Government. Of the motives which actuated him in taking that course, there were two to which he would allude—personal interests and personal feelings. He did not think he had a right to detain the House by entering into any statement in regard to his personal affairs. But he thought it would be admitted on all hands that there was no man in the country who had private and personal interests which did not require attention. He did not say he was required to give all his attention to private affairs; but he did say that recent events had made it desirable that for a brief period—at any rate for the first of the two parts in which this session would probably be divided—he should have the control of his own time and affairs. It is unfortunate that the necessity of his having that control only became apparent on the eve of the meeting of Parliament, and it therefore became an alternative if he remained in the Government, whether he should neglect his own or the public business. He therefore concluded to retire from the Government; but happily the Government contained many able men, so that his withdrawal would be no sacrifice to them, while to remain might have been a great sacrifice to him. With regard to his second motive, personal feeling, he alluded to the bank failure which had recently occurred in the Province of Ontario. He had not been able to conceal from himself that the tendency of public sentiment in that great and important Province had been adverse to him personally. He had not failed to observe the

justice, if not the injustice, or misconstruction, or misapprehension, with which his views and actions had been regarded in that Province. He had seen in the public press his name coupled with the ruin of confiding shareholders. He had seen it laid at his door that many of those parties had been reduced from competence to penury through his action, and the feeling which existed against him fastened the responsibility upon him of whatever injury had been suffered. These things showed to him that his public usefulness was to a considerable extent impaired. He said that he could not expect to receive the same generous support from the members of Ontario, which had formerly been accorded to him. He could not reasonably expect that honourable members would be more favourably disposed towards him than the people whom they represented. He therefore felt that until all the facts connected with the banks were known, and until a sense of justice returned to the public, his position in the Government was one of weakness rather than strength. He would state, however, that he had done everything he could as a man and as a Minister to avert the disaster to which he had alluded. He could point to the directors of the Commercial Bank for testimony to that effect; and, more than that, he was happy to be able to say that he could appeal to the gentleman who had been most powerfully opposed to his financial policy, the member for Châteauguay for corroboration of the statement he had made. He then read a resolution passed on the 23rd of October, by the Board of Directors of the Commercial Bank, thanking him for his zealous and persevering exertion to avert the disaster to that institution. He (Mr. Galt) had no doubt that in time justice would be done to him, not only with regard to this, but other matters. He preferred to wait for that time in an unofficial position. He no longer desired to assume the burdens of office, or become responsible for the duty of guiding the financial policy of the country.

**Mr. Cartwright** said it was a source of great pain to him to have his honourable friend, Mr. Galt, misrepresented. The failure of the Commercial Bank was owing to the withdrawal of confidence on the part of depositors alone, and not caused by the policy of his honourable friend, who had always been zealous in his efforts to render assistance to that institution. (Hear, hear).

**Mr. Alex Mackenzie**, while admitting that want of confidence was largely instrumental

in overthrowing the Commercial Bank, maintained that Mr. Galt and his colleagues were responsible for the state of affairs which resulted in its failure.

**Hon. Mr. Holton** said he was in position to corroborate every word uttered by his honourable friends, the Minister of Finance and the member for Lennox and Addington, who happened to be President of the Commercial Bank, of which he (Mr. Holton) was a director; and he could further say, that the vote of thanks passed by the Board to the Minister of Finance was not a mere formal acknowledgement of services, but a sincere recognition of valuable assistance he had rendered.

**Mr. Morris** said it would be unbecoming in him if he were not to express his belief that everything which had been stated by his honourable friends, the members for Chateaugay and Lennox and Addington, was perfectly true. No institution in circumstances of such extreme trial could have received more aid, countenance and assistance than this one did from his honourable friend the Minister of Finance. He had full opportunity of judging, and he could say that he believed the fall of the Commercial Bank was not in any wise to be attributed to the legislation of last session.

**Hon. Mr. Dorion** inquired whether any steps had been taken to fill the vacancies in the Cabinet.

**Sir John A. Macdonald** said the Government were taking the steps necessary to supply the vacancies. In the meantime, the public service would not be permitted to suffer, and no undue delay would take place in making the appointments.

#### DEBATE ON THE ADDRESS

The **SPEAKER** then put the Address, paragraph by paragraph. On the first paragraph being put, Hon. Mr. Howe rose to speak; but on the suggestion of Mr. Holton, the House took a recess till half-past seven. After the recess.

The **SPEAKER** took the chair at half-past seven o'clock.

**Hon. J. Howe** having had the floor before dinner, resumed the debate on the Address. Before proceeding to discuss the subject before the chair, Mr. Howe alluded to his own position in connection with the leadership of the Opposition, saying that it would have been an act of great impertinence on his

[Mr. Mackenzie (Lambton)]

part to have assumed the leadership of any body of men holding views with respect to Confederation at variance with his own. It would also have been inconsistent with his duty to his own country. No man in his country went to the hustings pledged to any side of any question in the politics of Canada. No man there concerned himself about the policy of the existing Canadian Government. He felt incapable of assuming leadership in a House where two languages were used, with one of which he was not very familiar. He therefore felt with his peculiar views on Confederation that it was far better for him to take a position in the body of the House. No one from Nova Scotia had any side in the party politics of Canada. They had been legislated into the House against their wills. With these remarks as to his own position he would proceed to the subject before the House, the consideration of His Excellency's Speech. As a public man of some experience he thought discussion on the speech a mere waste of time, but with respect to the speech now before the House, matter had been introduced which challenged the correctness of the view of the people of Nova Scotia, and, therefore, called upon them for discussion. In addition to His Excellency's Speech they had had a speech from his honourable friend (Mr. Fisher) who had raised other points, which he (Mr. H.) regretted, as he had long approved of the public course of his honourable friend, the representative of York. His honourable friend had said that party feeling should be laid aside, and it might be laid aside by his honourable friend, but with respect to this House he feared his dream would not be realized. There would be two altars in this House, the worshippers of which would be as far from agreeing as were those at the first two altars erected on this earth—the altars of Cain and Abel. (Laughter). Assuredly Cain would soon be into Abel's hair, (laughter) and the dream of his honourable friend would be dispelled. His friend hoped there would be no extravagance—he trusted not. He hoped there would not be an army of loafers fastened on the country. He, too, hoped not, but he thought he paid but a poor compliment to the House of the Government with respect to coalition. He also referred to the Intercolonial Railway, but where was the route? That was a New Brunswick question, and when one route had been chosen, as it would have to be, what then would become of the Coalition? He had placed in his hands a speech made by the Minister of Public Works, in which it had been said that the Government of Sir John A.

Macdonald would have \$15,000,000 to expend on their road and would use it to keep themselves in power for ten years. That he thought would be as long as the Coalition would last. With respect to the gratification expressed by His Excellency, it would not be shared by the people of his Province. They felt that they had been in a manner legislated out of the Empire, by being legislated into this Dominion, and they would read His Excellency's speech with sorrow and humiliation, and not gratification. (Hear, hear). He was in the House of Lords when the Act of Confederation was passed, and though that body consists of 400 members there were only ten members present at the third reading. If this had been a small matter affecting the slightest interest of one Peer of the realm there would have been a commission, or a committee of inquiry before Legislation had been allowed to pass. With respect to the House of Commons, though the members did attend in their places the question was not discussed. Men like John Stuart Mill, who had studied subject of Government nearly all their lives, might have come down with their views on this subject, but the House of Commons had not given the attention it deserved. The House owed it to the Empire, it owed it to the North American Colonies, that a full investigation should have been made before the measure was passed, and perhaps amendments might have been introduced that would have rendered it acceptable. One member of the House of Commons had actually stated that the question had been discussed at every hustings in Nova Scotia, a statement which the people of Nova Scotia had shown to be utterly untrue. The bill had passed in the face of a petition of 31,000 of the people of N.S.—more than half the militia population of the Province. They did not even ask to throw out the bill, but merely to delay it until the Nova Scotians had time to pronounce upon it at the hustings. There was, therefore, on the part of Nova Scotia certainly no room for congratulation for the manner in which it had been treated by the Mother Country. Then this new nation, as it is called, we are told, is soon to be extended from the Atlantic to the Pacific. Well, perhaps so. But as a nation it had some wants—some weakness—which it would have to remedy. It had no army to defend it, no navy to protect its shipping, but the latter he supposed was to be done by the Minister of Marine, recently appointed, and Commodore Fortin's ironclad, which he had never yet seen. (laughter.) It had been stated when the

new Privy Council of the Dominion was announced, that there was also to be a Secretary of Foreign Affairs; and it had amused him much to consider what were to have been the duties of this Minister, whether to consult with Lord Stanley, and assist him in directing the foreign policy of the Empire (laughter), but this idea of a foreign minister after a week's ridicule had been abandoned. No doubt the Minister of Militia would do something toward providing for this new nation, and it had been one of the great objections of Nova Scotians to this Dominion scheme that the Minister of Militia might march their young men out of their own country to defend a corner of the earth hundreds of miles away from them. We were asked to annex the Red River Territory to this Dominion. What had been the policy of the British Government in respect to this territory? Why, while for the last fifty years she has been pouring out her population to enrich foreign countries, she has allowed this territory to remain a disgrace to herself and a disgrace to civilization. Well may she hand over this territory to us, and be glad to be rid of the burden. He doubted not but that every man in Canada; every man in all the Provinces would defend the British flag, but with respect to Red River settlement, more men could be recruited in the State of Minnesota in a week than would be necessary to cut it off in spite of all that Canada could do. Passing from the Hudson's Bay territory there is British Columbia, which might have been made something as a British colony before it was flanked on both sides by the United States, but with California on one side, and the newly acquired possessions of the Republic, what hope had they of being able to maintain it? All the colonies had room enough for ten times their present population, and the acquisition of more territory would only be a source of weakness. His Excellency had also referred to the Ministers of the Empire having pressed Union on while the details of the scheme had been left with the colonies. Ministers of the Empire were quite right in pressing any question that in their judgment was in the interest of the Empire. But how was this Confederation carried in New Brunswick? In that Province there was not a man who was not strictly loyal to the Crown of England, and there the feeling of loyalty had been played upon. The people were told that the Queen desired Confederation: the Queen's name was introduced as a reason for its acceptance, and against every man who opposed it, the cry of traitor and

annexation was raised. (Hear, hear.) He remembered that twenty-five years ago he had occupied the honourable position of Speaker of the Parliament of his own country, and he knew then that it would have been his duty to repress any member who might invoke the name of the Queen, or the Queen's representative, as an argument for the adoption of any measure. He had read a few months ago that some one in Canada had said he would like to see Joseph Howe come forward and take the oath of allegiance. He would cast no such imputation as was therein conveyed upon the character of any man in Canada, but could appeal to his conduct in the past to show how far he had been faithful to his obligations to the flag of his country. At a time when the Provinces were threatened he had laid aside his party feeling, as his honourable friend from York now proposed to do, and had offered his services to the leader of the Government. Again during the Crimean war he went to the States as the confidential agent of the empire, and recruited for two months despite the activity of Russian agents, without compromising himself or his Government. He was in Washington again the winter before last, and suggested to the British Minister the probable plans of the Fenians to seize the shipping on the seaboard, and at his suggestion the British squadron was ordered into Nova Scotia waters three months earlier than usual, so that the Fenians were frustrated in their designs. He did not mention this as a boast, for it was only what any loyal New Brunswicker or Canadian would have done. He only mentioned these things in reply to the charge of disloyalty and annexation that had been preferred against him. He did not believe that the people of Nova Scotia would ever be satisfied to submit to an act which had been forced upon them by such unjust and unjustifiable means. What was the Union, but a mere Act of Parliament? A mere Act of Parliament may fairly be criticized, and if bad its repeal may be agitated for; yet this Union Act had been spoken of as something against which it was treason to say a word. What had been all the great reforms effected in England, but the repeal of Acts of Parliament and the substitution of others? His Excellency alludes to the freedom of arranging details which were left to the representatives of the colonies: Why, he had read a thick volume of debates on this very question in the Canadian Parliament, and not a line of detail was altered or amended. It was then declared to have been a treaty, and could not

[Mr. Howe (Hants)]

be amended or changed. It was never laid before the people of New Brunswick, consequently no power was given in the arrangement of details; it was never submitted to the people of Nova Scotia. But he might be told that the representatives of the people, meaning the delegates, had had the arrangement of details. On this point he would not speak for Canada or New Brunswick, but as for Nova Scotia, the delegates did not represent the people, but a Legislature which had lost the popular confidence. He might ask what would be the course in the neighbouring Republic, if one State attempted to annex another without the consent of the people. And turning from the Republic to European examples, the Union Act between England and Scotland had been passed, clause by clause, by the Parliament of Scotland, as well as that of England, and so with the Union between Great Britain and Ireland; the Act had been passed, though corruptly, by the Parliament of Ireland. Even when Savoy and Nice were annexed to France, the people were consulted by popular vote, and Venice, though conquered by force, had been allowed the form of a popular expression of consent. It might be said that it was only a form, but they had been defeated by superior force, and had at least the satisfaction of yielding to irresistible power while the humiliation and degradation of Nova Scotians had been that they were deprived of their liberty without the opportunity of striking a blow, that by an intrigue, and not by force of arms, their liberties had been extinguished. Heretofore they had been accustomed to hear of the Union Act as a skeleton, and coming to the measures promised in the speech, he supposed would be the flesh and the skin. Among these measures was one for the reform of the currency. Well, he came from a country which had a sound currency; from a country where there never yet was a bank failure. He could not see how a sound bank could be broken by any Government, and no Government ought to have the power (hear, hear.) Next came the assimilation of Customs, Excise, and Revenue generally. This was a sore subject with the Province of Nova Scotia. For ten years they had had a surplus revenue every year but one. Even supposing the revenue was only raised to fifteen per cent, the Dominion would take away from them about 100,000 sovereigns a year. They would certainly have to pay a larger amount of duties than heretofore, and all they got in return was 80 cents a head—the price of a sheepskin in Nova Scotia. (Laughter). He would not go into



figures at present, but if they raised the duty to fifteen per cent they would add fifty per cent of a burden upon the commerce of Nova Scotia with the world. This would be a serious blow to the prosperity of his Province, and perhaps it would do little good for Canada, and what the Nova Scotians wanted was that they should be let go. The next subject was that of a uniform postal system. Among his first acts as an Executive Officer, was to communicate with Mr. Lafontaine with respect to postal communication between the Provinces. A conference had been held, and arrangements had been made since, the postal system was placed under Colonial management, whereby a rate of five cents on letters had been established between the Provinces. In Nova Scotia the system had been extended, post offices established in every shire, town, and country village, and way offices on every cross road. But all this was now swept away from the control of Nova Scotia. No poor widow, keeping a forty shilling a year way office can look for appointment or preferment except through the favour of some gentleman in Ottawa. Placed as the representatives of Nova Scotia were, they could not expect to exercise much influence with the Government; there was nothing they could ask from the Government, and nothing which the Government could give that they could honourably accept. After referring to the Intercolonial Railway, and lamenting that the Government of the Dominion had stepped in and taken possession of the railways and public works of Nova Scotia, Mr. Howe referred to the subject of the organization of the militia and defence. Statements had been made through the press of Canada within the past few months, which had created great uneasiness in Nova Scotia. When they were told that every man should be armed they felt that the proposition was a serious one. "The whole people should be armed?" "Armed against whom?" On this continent there was but one possible enemy—and with that one we should be forever at peace. He thought that the urging forward of this measure of Confederation as a menace to the United States, was needlessly to irritate the feelings of those who ought to be on good terms with us. With respect to bankruptcy, he was free to confess that the Nova Scotians had never succeeded in framing a satisfactory law on the subject, and if the Dominion Legislature conferred such a law upon Nova Scotia, so far it will be a good service. With respect to the feelings of the mother country towards this country, what had the London

*Times* said? It had advocated Confederation, and hoped that it would quickly be followed by independence, and Mr. Gladstone had said that the £3,000,000 guarantee for the Intercolonial was a wedding gift. The Provinces were going to be married, and he hoped the troops would soon be recalled. In a word the feeling of the British people was that if these colonies assume the status, they should also assume all the responsibilities of a nation. After alluding to the remaining paragraphs of the speech, Mr. Howe said in conclusion, the mere parchment does not make a Union, the Act of Parliament does not create harmony. The Act might be acceptable to the Canadians, and why not? They obtain a vast seaboard, they extend their limits, and had they done it fairly and honourably no man with a head on his shoulders would have complained. But the people of his own Province had been tricked into this scheme, and he very much regretted that it had not been approached in a manner which might have led to the perfecting of a measure which would have rendered unnecessary such a speech as he had been compelled to make. Though he did not expect to command a great deal of support from the House, and had no desire to waste the time in a needless debate, he stated that he would move one brief amendment, expressing regret that the measure had not been submitted to the people of Nova Scotia before its adoption. With respect to the measures of the Government while holding a seat in that House he would, if he believed them to be good, support them, or if otherwise, oppose them, but he would seek no factious course to delay the proceedings of the House, or provoke acrimonious feelings among the members. Mr. Howe spoke for about an hour and forty minutes, and was listened to with great attention. He made many capital hits, and was warmly applauded on resuming his seat.

**Hon. Dr. Tupper:** Mr. Speaker, no member of this House can regret more sincerely than myself that my honourable friend who has just sat down, occupies a position which prevents his great talent from being made available for the advancement of the common interest of the British North American Provinces now united under one Dominion. All who have listened to the eloquent appeal just made to this House must feel how valuable would be the aid which the honourable member could give in promoting the union and consolidation of our common country at this important era in its history. I, Sir, have from the first hour of my public life been an ardent advocate of

the Union of British North America under one Government. Whether considered in relation to the position and progress of the whole Confederation or in reference to the Province of Nova Scotia, to which I belong, I have never doubted the advantage of Union. Separated as these Provinces were with divers currencies and hostile tariffs it was impossible that our commerce should ever attain the position that union would open up. The old Province of Canada notwithstanding its immense territory and great natural resources could never attain an important position while for five months in the year it was cut off from access to the ocean, and compelled to communicate with the parent state through a foreign country. The Maritime Provinces below, comparatively small and insignificant, could never hope to occupy a position of influence or importance except in connection with their larger sister Canada. The past history of that Province has exhibited the most striking evidence on that point. My honourable friend who has just addressed you denounced on the floor of our own Parliament the Reciprocity Treaty between British America and the United States, on the ground that while it disposed of our most important commercial interests and ceded away the invaluable fisheries of Nova Scotia the Government of that Province had not even the opportunity afforded them of expressing an opinion on a matter so vitally affecting their interests during the negotiation of that treaty. We have seen the credit of our bonds in the London market impaired by a struggle for power in the Legislature of Canada where we had neither voice or influence. If, therefore, we were in our state of isolation powerless to protect our most material interests which were disposed of without our being able to offer an opinion thereon, I ask my honourable friend if he does not think it was desirable that the views and feelings of our country should be presented in the Parliament of a United British America. No man can look at the geographical position of Nova Scotia without feeling that Province intended that we should form the great highway communication between not only the sister colonies behind us, but also a large portion of the Western States and the European world. Yet my honourable friend knows that after he had laboured with great ability for a quarter of a century to accomplish the construction of an Intercolonial Railway; every effort had failed as it had become perfectly apparent that that great work could only be accomplished by the Union

[Dr. Tupper (Cumberland)]

of the two Canadas, and Nova Scotia and New Brunswick under one Government. Not only has this great boon been secured for our Province, but by the construction of the western extension from St. John to Bangor already in progress, Nova Scotia must soon become the direct line of communication between London and New York. It is impossible to examine the geological characteristics of Nova Scotia without seeing that Province has given us all the elements of a great manufacturing industry. To say nothing of our valuable gold mines as a means of attracting population a great portion of our Province is enriched with vast deposits of iron, coal and limestone, the minerals which have made England the emporium of manufactures for the world. Yet with all this mineral wealth it was obvious that without that union which would throw down the barriers of our manufacturing industry, and open up commercial intercourse with our fellow colonists, we must be content largely to forego the great material advantages which nature has bestowed. Union has now given us a population of 4,000,000 instead of 400,000. My honourable friend has spoken eloquently of the great importance of Immigration as the true source of advancement for a country like ours, but it is apparent to all that United British North America will be in a position to attract population, capital and skill to our country to a far greater extent than would be possible whilst we were separate and isolated communities. He has also described in glowing but not extravagant terms the immense value of the Fisheries of Nova Scotia, yet I ask him if United British North America is unequal to the task of protecting that valuable public domain, how isolation was likely to accomplish such an object? As regards the extension of our commerce it is well known that the ablest writers in all these colonies exhausted their best efforts in a vain effort to extend commercial intercourse between the different Provinces. They failed because free trade involved the principle of Union with one Government which alone could secure a common tariff. If we wish to estimate what free trade with each other will do for us, we have only to look at its effects in other countries. When the thirteen American States obtained their independence their territory was no greater than ours—they had a smaller trade, revenue, and population than British America has today. Their first act was to strike down the hostile tariffs which separated the Provinces, and open their country to unrestricted commercial intercourse from Maine to

Mexico. The result was that their commerce developed with the utmost rapidity, until they soon became one of the most important commercial countries in the world. Inter-provincial Union is no untried experiment. Contrast the condition of the two Canadas before and after the Union. When separated by hostile tariffs and legislating against each other, the trade, revenue, and credit of both Canadas were paralyzed; but from the date of the Union all was changed and the country expanded with the most remarkable rapidity, until it obtained its present advanced position. I have referred to the effect of Union upon the progress and material interests of British America, but I admit frankly that there was one question that far transcended even them in importance, and that was the question of defence. The abrogation of the Reciprocity Treaty notwithstanding the evidence which existed to show that it had been more beneficial to the United States than ourselves indicated a desire to obstruct our trade with a view to induce a desire in these Provinces for a political connection with that country. The Fenian raids upon the Provinces also led to the belief that material aid might be found in British America by those who desired to change our allegiance to the Crown. To ensure the most advantageous commercial intercourse with our American neighbours, and protection from the harassing annoyance and expenditure connected with the mad designs of the Fenians, no better means could be adopted than to show the world that these hitherto isolated Provinces were determined to stand shoulder to shoulder in the maintenance of our connection with the Crown, and those glorious and free British institutions, which it has been our happiness to possess. My honourable friend asks with a sneer where are we to obtain an army and navy, and endeavours to hold the Dominion of Canada up to the world as utterly defenceless, and at the mercy of any power who may wish to bring us beneath their yoke. My answer is that there is a moral strength in our united attitude, which presents four millions of British freemen, devoted in their allegiance to the Crown and country, and prepared to sustain each other in upholding the honour of their common country, which is the best guarantee for peace that we can have. But can my honourable friend be ignorant of the fact that the Imperial Government of Great Britain have pledged themselves to maintain the integrity of this Dominion with the whole power of the Empire against any assault, come from whom it may.

Had we been unwise enough to set at defiance the earnest entreaty of the Mother Country to unite our fortunes with each other, that we might be better prepared to assist in maintaining our liberties, we might have had good reason to expect that the aid of that Government, under whose fostering protection we have risen to our present position, might be withdrawn. My honourable friend forgets that as long ago as 1854 he declared that these Provinces could put 500,000 in the field, and unaided by British troops bid defiance of any invader. Now he ridicules the idea of arming the population, and thinks we must fall a helpless prey to any enemy. I have no reason to doubt the entire friendship of the United States. I hope and believe that they will be anxious to resume the most reciprocal and friendly relations with these United Provinces. But sir, I do not think that under any circumstances that country, so recently suffering from a calamitous war, and oppressed by a gigantic debt, would attempt the subjugation of united British America, protected by the mightiest Empire in the world. Having thus, sir, glanced at some of the reasons which have induced me to advocate a union of these Provinces, I will briefly turn your attention to the position of Nova Scotia. I admit frankly that the Union party have been thoroughly and handsomely beaten at the recent general election, but I am happy to be able to relieve this House from the apprehension that an overwhelming majority of the people of that Province are determined to obstruct and break down the Union which has been formed. It is no new thing with us to have sweeping changes on such occasions. Only four years ago my honourable friend notwithstanding his unrivalled popular talents, went to the polls with all the power of the Government, of which he was the head, in his hands, when he was himself beaten in one of his strongholds by a majority of over 500, and 13 only of his supporters out of a House of 55 members were elected. Now, Sir, the Government of which I had the honour to be the leader believed that they owed a higher duty to the country than the maintenance of themselves and their party in power. The measure brought in to extend the railway to Pictou on the St. Lawrence, cost us the support of the Western members, known as the Yarmouth School. The measure providing for the support of schools by direct and compulsory taxation, so obnoxious to all young countries, was sufficient of itself to drive any party from power, and would have swept us aside if the Union had never been

heard of. The Government were charged by their opponents with having sacrificed the interest of the fishermen to a Canadian policy to issue fishing licences and those who had heard his honourable friend to-night, could form some idea of the effect of his perambulating the country with fierce denunciations of that kind, and with having taxed the bread of the poor man in the interests of Canada, because we believed it impolitic to free their flour from the duty imposed by the repeal of the Reciprocity Treaty. The facts, however, remained that the fishing grounds of Nova Scotia were occupied by the fishermen of the United States on payment of an insignificant charge, and a duty existed on American flour. This House could also imagine the consternation and dread excited in the back settlements of the country by vivid and heartrending pictures drawn by his honourable friend of the youth and manhood of the country being drawn from their homes to protect the interminable line of the Canadian frontier. While the people were told on the one hand that they must resort to direct taxation to sustain the local services of the country, Mr. Howe had everywhere asserted the statement made to-night that the first effect of Confederation would be to increase the indirect taxation of the country 50 per cent. It would no doubt be gratifying to the House to know that the financial position of Nova Scotia was so good, but the Finance Minister, who had to find the money, would show the House that, so far, the Dominion had not made much out of that Province. The truth was, that to complete the public works on her own responsibility she would have been obliged to largely reduce the expenditures for the leading services, or increase her tariff to at least 15 per cent. Then it must not be forgotten that the recent election was run under a franchise created by the Government of my honourable friend, and which came into operation for the first time at the last election. In addition to all this, the Government was obliged just before the dissolution to bring in a new representation bill in order to adapt the Local Constitution to the new state of things under the Union. We were thus compelled to reduce largely the representation of several Counties, an act in itself extremely repulsive to the electors. The popular cry was raised that the Union, irrespective of its merits, had been forced on the people in an arbitrary and unconstitutional manner. I need not in this House, I am sure, defend the mode in which the Union Act was carried by the Imperial Parliament, based upon the action of large

[Dr. Tupper (Cumberland)]

majorities in the Legislatures of all the Provinces affected by that Act. Pitt and Peel, and all the most eminent statesmen of England, have in the most unmistakable terms asserted the right of Parliament to deal with any question, constitutional or otherwise which in their judgment the good of the country demanded. My honourable friend himself and all the leading public men in Nova Scotia, had from time to time recorded their opinion in favour of the colonies being united precisely in the mode adopted in this instance. Yet Unionists and anti-Unionists alike were called upon to denounce the mode as an invasion of their rights, and punish those who carried the measure. Notwithstanding all these advantages in going to the polls, the House will be surprised to learn that my honourable friend Mr. Howe and his supporters, failed to induce one-half of the electors of the Province, to go to the polls and record their votes in their favour! I have made the following calculation up with all the care in my power, and will be glad to submit my figures to the scrutiny of my honourable friend. The Unionists contested all but three counties in the Province. In those three I have given the Unionists one-third and two-thirds to the other side. There are about 47,000 voters in the Province. Of them about 10,000 did not go to the polls at all, and of the remainder about 15,000 voted for the Union candidates and 22,000 for their opponents, giving them a majority of about 7,000 in all. But sir, I am not prepared to admit that a majority of the electors have pronounced against the Union or in favour of its repeal. Nay more sir, I am prepared to show the House that my honourable friend himself, and many of his leading supporters, went to the country pledged to give this Union a fair trial. My honourable friend (Mr. H.) at a large meeting at Mason Hall, at Halifax, previous to the elections, said:

*Let us hope that they (the Canadians) will act justly. If they do, we should aid them to work the new system fairly,*

and subsequently referring to the pledge then given the honourable gentleman in a letter addressed to the people of Canada on the 18th of June last, over his own signature said:

*I, having expressed my determination to bow to the paramount authority of Parliament and try the experiment, am not likely to be deterred by necessary forms, etc.*

Mr. Power, one of the members elected to represent the metropolitan constituency of Halifax in this Parliament, gave the following

pledge to the electors in presence of his leader and colleague Mr. Jones, who also represents the county of Halifax:

I will not detain you longer, but will conclude by saying that if you elect Mr. Jones and myself to the Dominion Parliament the interests of Nova Scotia will not suffer at our hands. We are charged with intending to countenance factious opposition. No such thing. We have certainly given the scheme a conscientious and consistent opposition, but are now disposed, if we should go to Ottawa and find it to work even moderately well, to let it have a fair trial.

The honourable member for Guysboro, who led the opposition to Union in the Nova Scotia Legislature at the last session, on the ground that it had not been submitted to the electors, and who ably advocated those views, too, on subsequent occasions to say on the floor of the House that now that the Imperial Act had become the law of the land, he was prepared to bow to its authority, and give his best aid to carry on the legislation of the country under the new circumstances in which we were placed. While Mr. Campbell who made this statesmanlike and patriotic declaration was returned by acclamation, Mr. Annand who pledged himself to repeal was defeated at the polls. I ask my honourable friend who has blamed the Unionists so severely for acting without the question having been fairly submitted to the people, how he can in the presence of facts like these, use the power he obtained for the purpose of endeavouring to destroy and break down this Union before giving it that fair trial to which he stands pledged before the people. Can my honourable friend expect that the Imperial Parliament who passed this act with a petition against it, signed according to Mr. Annand's declaration by "about 40,000 petitioners," break faith with this great Confederation at the instance of representatives who only succeeded in polling about half that number of electors, and upon the pledge that they would give this measure a "fair trial". No man is in a worse position to urge objections to the mode in which this measure was passed, than the honourable member who has just addressed the House, as it is well known that he spent years in advocating a system of responsible government by which the affairs of the country should be controlled, according to the wishes of the majority of the people's representatives. What guarantee can my honourable friend give the Imperial Government that the same reaction will not take place in Nova Scotia that was witnessed in New Brunswick, where one year an overwhelming majority of the electors declared against the Union, and the next a still larger

majority polled their votes in favour of it. I am not without hope, Mr. Speaker, that my honourable friend will yet reconsider his position on this question, and assume the same statesmanlike and patriotic position which the former opponents of Union representing New Brunswick have taken. I read with great pleasure the manly declaration made by my honourable friend, Mr. Anglin, at Montreal, the other night, a declaration that did honour to the head and the heart of that gentleman—that although he had been conscientiously opposed to the Union, he was now prepared to give his best aid to work it out in the manner best calculated to promote the good of our common country. Sir, I would rejoice to see my honourable friend from Nova Scotia in the same way to assume a position that would enable the country to avail itself of the great ability he possesses. He says that the Government could not give him, or those who act with him, anything that he could honourably accept. It would, of course, be impossible for any Government to strengthen the hand of those who declare their intention to break down the Constitution of the country whenever they obtain the power. But my honourable friend must see that his position renders it equally impossible for him to aid a constitutional opposition in the responsible and important Parliamentary functions that they are called upon to discharge, as nothing would necessarily paralyze an opposition so completely as being associated with parties hostile to the existence of the integrity of the country, and anxious to disintegrate it. Under these circumstances I put it seriously to my honourable friend whether the obligations which he has assumed by taking his seat in this Parliament does not bind him at all events to give that fair trial to the existing institutions of the country, which the electors of Nova Scotia had a right to expect from his declarations previous to the elections. I make these observations from no apprehension that the Union of these Provinces can in the slightest degree be endangered by any course which the honourable member, or those who sustain him, may take, but in order to avert the evil to our common country, and especially to my own Province likely to result from this mischievous agitation for repeal. My honourable friend says that he has been charged with disloyalty. Far be it from me to assail the reputation of any man except upon the clearest evidence, but when the delegates were charged with being traitors to their country, we felt it right to call attention to the striking fact that while not a Fenian, or

annexationist, or traitor could be found within our ranks, every man of that class openly proclaimed their sympathy with the opponents of Union. Although this Confederation is entirely safe from the assaults of all I cannot be indifferent to the injury that may be inflicted upon us among those, who do not understand the question by such speeches as that delivered by the honourable member for Hants to-night. The avowed hostility to the Union will encourage those who are anxious for our downfall, and the declaration by a member of this House that we are weak and defenceless will invite aggression. No statement could be more unfounded or injurious than the assertion that the Mother Country wishes to get rid of us. It is true that neither in the Lords or Commons of England, whose action on this question has been so severely criticised by my honourable friend, was any attempt made to change the measure as arranged between the representatives of these Provinces and the British Government, but it is well known that no Colonial question ever received more respectful attention at the hands of the statesmen, of the Parliament and the Press of England than was bestowed upon this question of Confederation from the time that it was first brought under their notice until its final consummation. The effect of a settled and permanent condition of public affairs upon capital is well known, and while I feel confident that this agitation will be utterly bootless of any result; it will in the meantime largely prevent the introduction, especially in Nova Scotia, of the population, capital and skill that would otherwise immediately flow in to develop the resources and enrich that section of the Union. I appeal to my honourable friend whether it is patriotic to inflict such injury upon his country. Having made these explanations I feel it would not be right at this late hour to trespass on the indulgence of the House, or I would read a few elegant extracts from the vigorous pen and eloquent tongue of my honourable friend, to show how much more able and eloquent he was when advocating the Union of these Provinces, than since he adopted the unworthy policy of endeavouring to belittle and depreciate his own country. (Loud cries of go on.) I will now briefly notice a few of the criticisms which my honourable friend offered this evening. He complains that the salary assigned to the Governor-General is £10,000 sterling. I think if we contrast the salary formerly given to that high officer before the great step which the Union of the Maritime Prov-

[Dr. Tupper (Cumberland)]

inces has given to the former Colony of Canada, the amount will not be found disproportionate. It must be remembered that this officer is the connecting link with the Crown, and the representative of Majesty in this important part of the Empire, and that we could hardly expect to obtain the services of the leading statesmen of England at any smaller amount. My honourable friend complains of the number of Departments in the Government. It was no doubt necessary in making provision for the proper representation of the different sections of the Confederation to have the thirteen Departments, but I would suggest respectfully to the Honourable Minister of Justice whether in the present peculiar position of Nova Scotia, the able and indefatigable Minister of State for Canada might not be charged with the additional duty of the Secretary of State for the Provinces. The vacancy created by the resignation of the Honourable Minister of Finance might in the same way lead to the consolidation of that Department with those of the able and experienced Ministers of Customs and Excise. I am well assured that Her Majesty's Government will give these questions the most careful consideration, well knowing that nothing will give greater confidence to the country than a judicious economy in the administration of public affairs. My honourable friend now represents our position as utterly defenceless, and treats with ridicule the proposal to arm the militia, yet he ought not to forget the following passage of his speech in our Legislature, so long ago as 1854:

How often have we heard that our republican neighbours were going to overrun the Provinces. They have attempted it once or twice, but have always been beaten out, and I do not hesitate to say that the British Americans, over whom the flag flies, are able to defend every inch of their territory, even though Her Majesty's troops were withdrawn.

Taking our population at two millions and a half (it is now nearer four millions), every fifth person should be able to draw a trigger, giving 500,000 men capable of bearing arms. Such a force would be powerless as an invading army, but in defence of these Provinces invincible by any force that could be sent from abroad.

The opinions of the honourable member would also appear to have undergone material change since 1863, when in moving a vote of thanks at Halifax to the Hon. McGee for his eloquent advocacy of a Union of the Colonies, he thus urged its great importance on the ground of defence:

He thought a Union should not be delayed till we had drifted into difficulties. How shortsighted were the English statesmen of old who lost them the

thirteen States, when the difficulty could have been arranged in a month, the horrors of the revolutionary war prevented, and all our race living at peace and harmony at present without the bickering and animosity which prevail in their midst. Talk of the fall of Quebec being a source of sorrow to the inhabitants of this Province. It would be more. If the St. Lawrence were in the hands of our enemies, we should be compelled to beg permission to tear down the British flag. What he wished for Nova Scotia was, that she may be the frontage of a mighty Colony; upon which it may be truly said the sun never set. No man can look upon Halifax and its environs, its harbour, its citadel, and say it was made for this Province alone.

The United States have drifted into a civil war; and we may drift into a tight place, from which it may be difficult to extricate ourselves. The States may assail us; but if we had a railway by which troops could be sent from Quebec or other military stations to the threatened point, we would be saved.

I trust, sir, that now that we have the moral strength arising from the Union of these Provinces, and the assurance of support in any emergency from the Imperial Government it will not be found necessary to burden our people with any oppressive taxation for defence; but my honourable friend should remember that when he was opposing this Union of the Colonies, he presented a counter scheme for the defence of this country under which all British America would be compelled to pay into the Imperial Treasury for the support of army and navy of England. This enormous taxation far exceeding anything that we can be called upon here to contribute, was to be disbursed under my honourable friend's scheme, by a Parliament in which Nova Scotia was to have two representatives, and Canada four or five. My honourable friend, who has inspired such dread in the back settlements of Nova Scotia, that the young men would be drafted to protect the helpless people of Ontario and Quebec, proposed to the British Government that in addition to this heavy taxation we should contribute our quota of the army required in any war in which Great Britain might be engaged. By duly balancing the route of the Intercolonial, my honourable friend seems to think the Government may retain power for the next ten years. If this be the case as that question mainly affects the Maritime Provinces, we must after all possess some influence in this Parliament. In complaining of the mode in which the Union measure passed the House of Commons, it was stated that the Commons was influenced by an untruthful statement made by an honourable member of that body. As this refers to Mr. Watkin's remark that Confederation was made an issue at the polls at the last election, I am glad to have the opportuni-

ty to make an explanation. When Mr. Bright asserted that this question of Union had not been before the people in Nova Scotia, Mr. Watkin left his seat, and came over to the part of the House where I was sitting near the Hon. Mr. Galt, who remembers well the circumstances. Mr. Watkin said: "Dr. Tupper, I wish to speak to you," and I went with him some distance to the side of the room. He then said: "What is your answer to Mr. Bright's statement, that this question has never been before the people?" I said: "The answer is this: In 1861 Mr. Howe, when leader of the Government, moved a resolution in favour of the Union of the Provinces, which passed the Assembly unanimously. That previously to the last general election I had publicly advocated such a Union as has now been agreed upon, and that I was brought into power, and this measure had been carried by a large majority of the present Parliament." Mr. Watkin knowing that this question was now one of controversy supposed that it had been made an issue at the polls as would undoubtedly have been the case, only that we were all unanimous upon the question at that time. I turned to Mr. Galt during Mr. Watkin's speech, and remarked how difficult it was to make parties understand, when they were not familiar with the history of a question. Had I wished to mislead Mr. Watkin, I would not have dared to do so, as I had placed in his hands a published history of the whole question in Nova Scotia, which showed that it had never been made an issue at the polls. This House will I am sure exonerate Mr. Watkin from any intentional misrepresentation. My honourable friend takes particular exception to that portion of the speech, which indicates a desire for the Western extension. This is the more remarkable in connection with the great importance which he attaches, and justly to immigration as the great means of rendering the country strong and prosperous. With 11 millions of acres of public soil in the Red River and Saskatchewan Country, to invite the immigrant and increase our population, this question of Western extension becomes one of the greatest importance, but I will give you the forcible and eloquent observations of my honourable friend upon this subject as much more conclusive and instructing than anything I can afford:

The Hudson Bay territory includes two hundred and fifty thousand miles. Throwing aside the more bleak and inhospitable regions, we have a magnificent country between Canada and the Pacific, out of which five or six noble Provinces may be formed, larger than any we have, and presenting to the hand of industry, and to the eye of speculation,

every variety of soil, climate, and resource. With such a territory as this to overrun, organize, and improve, think you that we shall stop even at the western bounds of Canada? or even at the shore of the Pacific? Vancouver's Island, with its vast coal measures, lies beyond. The beautiful islands of the Pacific, and the growing commerce of the ocean, are beyond. Populous China and the rich East are beyond; and the sails of our children's children will reflect as familiarly the sunbeams of the South as they now brave the angry tempest of the North. The Maritime Provinces which I now address, are but the Atlantic frontage of the boundless and prolific region; the wharves upon which its business will be transacted, and beside which its rich argosies are to lie. Nova Scotia is one of these. Will you, then, put your hands unitedly, with order, intelligence, and energy, to this great work? Refuse, and you are recreant to every principle which lies at the base of your country's prosperity and advancement; refuse, and the Deity's hand-writing upon land and sea is to you unintelligible language; refuse, and Nova Scotia, instead of occupying the foreground as she now does, should have been thrown back, at least behind the Rocky Mountains. God has planted your country in the front of his boundless region; see that you comprehend its destiny and resources—see that you discharge, with energy and elevation of soul, the duties which devolve upon you in virtue of your position.

Allow me in conclusion Mr. Speaker to thank the House for the kind and attentive hearing given to the discursive observations I have been enabled on the moment to offer in reply to the speech of my honourable friend.

**Mr. McKeagney** defended the change of opinion of the member for Hants on the question of Union, holding that a change of opinion, when a man found he was wrong, was not discreditable. He (Mr. McKeagney) was not committed to opposition to Confederation; but he was opposed to the mode and manner in which it had been accomplished. He was here to seek concessions and changes, but did not say that under every circumstance, Confederation would be objectionable to Nova Scotia. (Hear, hear).

**Mr. Hugh McDonald** said, Mr. Speaker, my honourable friend from Cumberland has expressed his sympathy for other gentlemen from Nova Scotia occupying seats in the House, inasmuch as they are not in a position to claim support from the ministerial side, but I feel that we need no such sympathy and, speaking for myself, I feel that I occupy a much prouder position in representing the views and advocating the rights of those who sent me here, than if I had occupied that place which my honourable friend would assign. I am quite well aware that, in the face of what I know to be the Union feeling shared in by a large majority of this House, any observations that I can make are not

[Dr. Tupper (Cumberland)]

likely to win much sympathy or carry conviction, and, at this late hour of the night, perhaps, it would not be just to the House or to myself that I should occupy much time. But I would be wanting in that public duty which I owe to the country which sent me here, if I failed to express my utter refusal to join in the congratulations which we are asked to tender to His Excellency, upon the consummation of a policy which I believe to be injurious to the best interests of my own Province, and which I know to be repugnant to the feelings and wishes of my constituents and of the overwhelming majority of the people of Nova Scotia. My honourable friend says that we are not in a position to apply for a repeal of the Union, because the unanimity of the people of Nova Scotia upon the subject, according to his figures, is questionable. He forgets that for the last three years he and those with whom he was associated, ignored the right of the people to a voice in any Constitutional changes. Who that is conversant with his speeches and pamphlets can forget how persistently he contended that the representatives of the people—not the people themselves—possessed the power and the right to effect such changes? Then, according to his own argument, what matters it that there is not (even if there was not) a perfect unanimity among our entire people? Have we not the whole body of representatives of the people of Nova Scotia—with two or three exceptions—in favour of repeal, and can there be any doubt as to our right to get it? But my honourable friend says that the elections in Nova Scotia were decided upon other issues, and that not a repeal of the Union, but a reproof for the manner of carrying it was the main issue. Now, I am in a position to deny the entire accuracy of that statement. Confederation or no Confederation was the main question in my own constituency, and in several others which I could name, but even if it was a question of reproof, how can we consistently rejoice, as this address asks us to do, at the success of a line of conduct which we invariably condemned and which received such signal reproof at the hands of our constituents. We are told that the Union was carried in Nova Scotia precisely in the manner indicated many years ago by Lord Durham and other eminent statesmen. Let me remind the honourable gentleman that he mistakes the views of Lord Durham; for that nobleman unhesitatingly states, in his report, that it would not be courteous or just to the Lower Provinces to include them in the Union, which he then advocated, without at first obtaining the consent of the people of



these Provinces. There may be gentlemen here who remember what took place when the Quebec scheme was brought before the Parliament of Canada, and when some gentleman asked that it should be submitted to the people for their approval. The Hon. Mr. Brown, who then occupied a prominent position in the Government and Legislature of this country, if I recollect aright, in his place in Parliament, conceded the constitutional right to have it so submitted, if any doubt existed as to the opinions of the people, but, because no doubt did exist that an overwhelming majority would be returned in favour of it, he considered it impolitic to put the country to the expense of a general election to make a certainty more certain. But in the Province of Nova Scotia my honourable friend pursued a different course. He knew that a large body of the people were opposed to the Union. He himself declared it impracticable in 1865, and yet he persisted, contrary to the views of other statesmen, to force it upon an unwilling people. The honourable member says that the statesmen and people of England regarded this Union as a necessary condition of their continuance to defend this country. If so their speeches and public press did not express their views. What did Mr. Gladstone say in his speech upon the Bill to guarantee the money necessary for the construction of the Intercolonial Railway? Speaking of the defence of the Colonies he said that the liability of the Imperial Government for that purpose was very heavy indeed, and that it was the duty of the British Parliament in every way to get rid of it; and moreover that he regarded that road and this Confederation as the surest way to throw upon us the burden of our own defence. In this view he was supported by other statesmen, and several members of the leading press of England. We are told that it would be impossible for Nova Scotia to carry on her public works without raising her tariff, even if Confederation had not been accomplished. On this issue, also, I differ with my honourable friend. He knows well that our revenue, with the low tariff of ten per cent, has been steadily increasing for many years. That since 1852 it increased four-fold, and three-fold within the last ten years; and that seldom was there such a remarkable increase as during the last year. Assuming, therefore, that in future our progress would be proportionate to that of the past, what ground is there to apprehend any necessity to

raise our tariff? The honourable member asserts that the Parliament of Nova Scotia sanctioned the Union Act, but how? After we had intelligence that it had passed the second reading in the House of Commons of England, the honourable member from Guysboro' moved that it would be unjust to press it upon us without the consent of the people at the polls. That resolution was voted down by a House whose action was subsequently condemned by nearly the whole constituencies, and that was the negative assent to which my friend refers. We are told that this Union is such as to render an army unnecessary. If so, where the necessity of the measure promised in His Excellency's speech to provide, by a large expenditure of money, for military purposes. The honourable gentleman's statement that the Fenians and Annexationists of the Province were to be found in the ranks of the Anti-Unionists challenges a remark or two. I am not aware that there is one Fenian in Nova Scotia. Four years ago there was scarcely a disloyal person among our whole people, but I am not sure that there are not, now, thousands whose loyalty has been shaken by the arbitrary course pursued on the part of the Government, of which my honourable friend was a member. We received no assistance from Fenians, but it is now acknowledged, on all sides, that the Fenians, in their movements, contributed largely to the success of the Union party. One word about the Watkin story. My honourable friend undertakes to explain the misstatement, but as far as we are concerned it matters little what the intention of Mr. Watkin was,—whether it was a wilful perversion of the truth or not. The fact is that the misstatement was made and largely contributed to deceive the British Parliament and people. At this late hour of the night it would be trespassing upon the patience of the House to say more than this, and, when I came in, I did not intend to say so much; but I would be doing very great injustice to the people who sent me here, and stultifying myself, if I should rejoice, as this address asks me to do, at the success of a course of procedure which I know to be as repugnant to the wishes and feelings of the vast majority of the people of Nova Scotia, as I believe it to be injurious to their best interests.

The House adjourned at half past eleven o'clock, to meet again on Monday at three p.m.



## HOUSE OF COMMONS

Monday, November 11, 1867

The Speaker took the chair at three o'clock.

**Archibald Woodbury McLellan**, for Colchester, N.S., and **Alfred Gilpin Jones, Esq.**, for Halifax, took oath and their seats.

Three petitions were brought up, and two received and read.

### DEBATE ON THE ADDRESS

On motion of **Sir John A. Macdonald**, the House resumed the order of the day for the consideration of the address in reply to His Excellency's Speech from the Throne. The question being upon the first paragraph of the address.

**Hon. Mr. Howe** stated that he thought it right to explain, that as the House would have a full opportunity of discussing the various clauses of the address, and every member who chose could state his views upon them, he would not move an amendment to the address as he intended to have done.

**Sir John A. Macdonald**—The honourable gentleman will have every opportunity of discussing every paragraph of the address, so that no amendment is necessary.

**Mr. Blake** resumed the debate. He quite concurred with the opening remarks of the member for Hants, in regard to the important nature of the work which the Government promised to lay before the House for its performance. The programme was one of a very extensive character, for several months past, Ministers had been engaged preparing these measures, and it was understood they were now ready for submission to the House. Ministers had asked the House and country to be judged upon those measures, and therefore he (Mr. Blake) presumed they were anxious that the trial should take place with as little delay as possible. He felt it doubly important now that the House should not be delayed in proceeding with those important measures upon which not only were the Government to be tried and judged, but the prosperity of the country and the fortunes of the new Do-

minion depended. But the circumstances under which the House met, as well as the circumstances connected with the recent elections, and with the great party to which he had the honour to belong, called for some remark before proceeding to those measures, and although he did not propose to move an amendment to the address, still it had been thought fit not to allow those circumstances to pass without some comment on the floor of this House. The remarks he would have to address to the House would be as short as the subject would permit, and he was sure he would receive that indulgence which British deliberative assemblages always accorded to a young member, and of which at that moment he felt seriously in need. (Hear, hear). In order, then, to look at the circumstances under which recent elections took place, it was necessary to go back a short time in the history of the country, and especially to the period of the formation of the Coalition, prior to the accomplishment of Confederation. In consequence of the impossibility of continuing the Government of the country by either of the two parties—Conservative and Reform—which had always prevailed, and which under whatever names disguised, would always prevail in any country constitutionally governed—in consequence of their being unable to carry on the Government in the ordinary way, an alliance was come to between the parties of a temporary character and for a certain definite purpose. Both parties thus came together for a time, and agreed upon a mode of solving the constitutional difficulties under which the country had laboured and which had brought the Government almost to an end. It was understood at that time, clearly and distinctly, that the questions which might otherwise have been agitated in the House—questions under which party issues might have been raised—questions likely to excite party feelings once more—questions which could only properly be debated and decided, as those on his side of the house contended, by a house properly organized and composed of the two parties—that all such questions should be placed in abeyance, and that the House should devote itself to a settlement of the constitutional question. It was not sup-

posed—it was not contemplated—it was not suggested, at any rate publicly, whatever were the views privately held by the parties to that compact—that either of the two parties should lose its distinctive character, or that we would find ourselves upon the carrying out of that measure in a position which would require no reorganization of parties, as questions might arise leading to a difference of opinion in men's minds. It was not, at any rate, asserted at that time that the two parties should be dissolved, and that parties should arise afterwards only in consequence of the diversity of opinion in men's minds as to questions that might come up for consideration. The best proof that the alliance was not to dissolve parties was to be found in the facts connected with two elections which took place soon after its formation, and when appeals on behalf of the two parties were made to the constituents interested. The present Commissioner of Public Works, on appealing to his constituents for re-election, was opposed, and successfully opposed, by a Conservative; and in North Wentworth, a Conservative and Reformer went to the polls as such. The election of the former was urged by the Minister of Justice because he was "his candidate". These things showed that at that period the idea had not been mooted that there was an end of party by reason of the temporary alliance; or that parties would not revert to their original state as soon as the object of the alliance should be accomplished. When the object of that alliance was finally accomplished, the Minister of Justice was authorized to form a Cabinet for the Dominion, and he made proposals, the result of which was, that the Government was formed, composed partly of Conservatives and partly of Reformers. As he (Mr. Blake) understood it, the view in which that arrangement was made was this—it was conceded that the Reformers had a preponderance in Ontario, and so they were given three out of five seats to the Cabinet from that Province, and as to the whole Dominion, it was held that parties were tolerably evenly balanced; and so the Cabinet was pretty evenly balanced in its political character. They were balanced by six Reformers being taken in as Ministers, and six Conservatives, with one gentleman who, having been Conservative at one time, and at one time Reformer, was regarded as being peculiarly fitted for the position of umpire—(laughter)—to decide between the rights and wrongs of the Cabinet so composed. Hon. Senator Kenny fitted that very high and distinguished position. (Laughter).

[Mr. Blake (Durham West)]

When they heard this in Ontario, the Reform party was in a position to carry a majority in the Local House, and at any rate a very strong delegation in this. They heard it from those gentlemen in the Cabinet to whom it was supposed the interests of the Reform party was particularly committed. They were told by the Commissioner of Public Works that the Reform cause and Reform party had passed away and was dead—that a new era of peace and good feeling had arisen, and that we were no longer to look back upon dead issues of the past. And then the doctrine was announced that parties were to be formed, not with regard to past differences, but as questions arose upon which men's minds would naturally differ, and that as there was now no great question agitating the country, there was no longer any necessity for party. They were told by the honourable gentlemen who had formerly represented their party, that they were no longer to regard the past, that party distractions were to be buried in oblivion, and that with the inauguration of the new Dominion, we would all commence anew with clean slates. They were told that this was the best course for the interests of the Reform party itself; for otherwise, it would be in a minority in the Councils of the country, and the Minister of Justice would form a Government of Conservatives exclusively, and have Reformers in Opposition. They were also told that partyism was a mistake, that the country was tired of political contention, and had enough of it, and that there should now be conciliation, peace and harmony on both sides. The doctrine was laid down that the best men should be selected irrespective of party, and that to be a party man was something discreditable. Everyone who professed to adhere to strong party views was denounced as an extreme man, but at the same time, a most strenuous and unscrupulous fight was carried on by those advocates of harmony, peace and conciliation. Those who opposed the Coalition were set down as most unreasonable men. There was something in the Government, it was said, to suit every taste—if it was a taste that could be pleased by a composition of that description. They were told moreover that, if they went into Opposition, they must necessarily ally themselves with the member for Hants (Hon. Mr. Howe) and his followers; that they would thereby ally themselves with annexationists, disloyal men and rebels—men who were coming here to plot against and destroy the constitution. Those slanders against his honourable friends from Nova

Scotia, they had to meet as best they could; and they stated further that they could only act with those gentlemen if they found them disposed, as he believed that they to discharge their duty in working out the constitution fairly on the floor of this House. Further, they were met by the argument that the administration should not be condemned beforehand—that they ought to be judged by their actions. He and his friends had met this by saying they had known a good many of them for a long time, that they had known a good deal of their actions, and had for many years groaned under the fruits of those actions. They were met by the Minister of Public Works (Mr. McDougall) and they had ventured to suggest to that gentleman that he himself had educated the country to such a point with reference to the misdeeds of those gentlemen opposite, that he would find it very difficult to unteach those lessons in the course of one election. They pointed out that by his whole course of action for a long series of years he had condemned in a vigorous manner the conduct of the men for whom he now asked a fair trial; the honourable gentleman's answer was that in those days party spirit ran high, that he was anxious to show that the Opposition party were wrong, but that he had since found out that the devil after all was not so black as he was painted, and that in fact, if diabolical at all, he was only a diabolical good fellow. (Laughter). He for one was not convinced by the Minister of Public Works; he could not see what guarantee there was for his judgment being more sound now than it was before. On the contrary, it was just possible that his eyes were somewhat blinded by the circumstances in which he now found himself, and that his former judgment was the one to be relied upon. Then, in the western part of the Dominion, the Minister of Justice, Sir John A. Macdonald, was perambulating the land, and in those perambulations he was not alone. He was accompanied by a shadow, tall and thin—as a shadow ought to be—which followed his every footstep, re-echoed his every word, applauded his every sentiment. The two men who for twenty years had sat on opposite sides of the House—whose opposition had not ceased even during the temporary truce while Confederation was in progress—were now allied. The long feud of the clan McDonald had come to an end. The premier of Ontario had submitted to his chief the premier of Canada, and an alliance offensive and defensive had been formed between the major and minor potentates to sweep the elections in Ontario

for the benefit of the big and the little coalitions. One of the first fruits of that alliance was the conversion of the Honourable member for South Brant. Having commented on the suddenness of that conversion and on other curious combinations that occurred during the election, such as the visit of Mr. McDougall and Mr. M. C. Cameron to Durham, to oppose himself (Mr. Blake), he went on to say that the tactics to which he had referred, the mode in which the elections were conducted, the order in which they were arranged, and the pressure and influence brought to bear on them, had resulted no doubt in triumph—not of the Minister of Public Works and his friends, but—of the Minister of Justice, because the men who sat in the House as supporters of the Government from the Province of Ontario, sat here as supporters of the Minister of Justice, and not by any means as supporters of the Minister of Public Works, who he did not believe, had one follower in this whole House. Gentlemen opposite had achieved a triumph, but not without inflicting a most serious blow on the political morality of the country. As the result of the strange proceedings witnessed during the late elections, we saw a good deal of confusion now in this House. It had been customary to see the chief benches on his side of the House reserved for the Opposition; but, on this occasion, we found the members for Cornwall and South Brant sitting among those to whom they had been opposed at the election. It was difficult under these circumstances to know who was Ministerial and who Opposition. He hoped to learn from the lips of these gentlemen themselves what was their position—that he and his honourable friends near him might know whether they were surrounded by friends or foes. (Hear, hear). The Government met the House in different circumstances from those under which the elections took place. Two members of it had resigned their offices. The gentleman who had resigned the office of Minister of Finance and held that position almost continually for many years. The honourable gentleman during that period had led the country along a course which was sometimes Protection and sometimes Free Trade, and in which there appeared to be but one element of consistency, namely, that it involved an increase of our expenditure and of our debt, until at last, like some will-of-the-wisp which had led us into a quagmire, the honourable gentleman left us in the very worst spot of it to flounder out of it as best we could. As regarded the immediate cause of

the Finance Minister's resignation, he would not pretend to hold the Finance Minister responsible for having conspired to bring about the destruction of the Commercial Bank, but what he did say was this, that that honourable gentleman was unquestionably responsible for the passage of the Act which rendered it not only possible but probable that such an event might happen, giving one banking institution an interest at variance with the interests of other banking institutions and the power more or less to effect their rule, this had inevitably led to the view that there was no longer that security which we formerly had in the fact of all being to a considerable extent involved in the fate of each, so that there would necessarily be concerted action, and forbearance, and assistance on the part of all the other institutions towards the one which happened to be temporarily embarrassed. The late minister of finance was directly responsible for the passage of the Act which changed that state of things, but not he alone. It was one of the fruits of the late Coalition, but for that Coalition the Government would not have felt itself so strong as to venture to force through the Act without allowing that time for debate which would have allowed the feeling of the country to have been elicited. The Government hoped that by giving up the minister of finance as an expiatory sacrifice they would propitiate the country, but every man of them was as responsible for it as the minister of finance himself.

**Hon. Mr. Cartier,** Hear, hear.

**Mr. Blake** said the Minister of Militia was not afraid of the responsibility, as the feeling was not so strong in that portion of the Dominion from which he came; but when members of the Government, representing Ontario, did not contradict, but acquiesce in the statement of the Minister of Finance, that he had lost confidence of the people of that portion of the Dominion because of late events it necessarily followed that the people of Ontario had lost confidence in more than him—they had lost all confidence in the Ministers who are responsible for that measure. Mr. Blake went on to show the injurious nature of the bank of issue scheme of last session, and the inexpediency of such legislation when it would necessarily be one of the first duties of the Confederated Parliament to have a uniform currency system for the whole Dominion. He hoped that very

[Mr. Blake (Durham West)]

soon the Act of last session would be set aside, and the best scheme for the whole Dominion be introduced and acted upon without delay. He proceeded to point out that the Government had a good opportunity of showing the people that they were not to continue a system of prodigality and extravagance, by reducing the number of Cabinet officers from 13 to 11. He then referred to the promise of a measure as to elections. He trusted it would contain a provision that the elections should be held on one day, and the same day throughout the Dominion. Under the present system the greatest facilities were given for corrupting the constituencies. Unfortunately, election corruption was increasing at every election and it appeared as if the time would soon come when it would be almost impossible to obtain a seat in this House without spending large sums of money in debauching the electors. The militia scheme, he hoped, would be well considered. The House should not vote large sums of money, for a system of defence without seeing where to it tended and where to it would grow. An exhaustive investigation of the whole subject should precede legislation, so that we might adopt as complete a system of defence as the circumstances of the country would admit. He then referred to the position of Nova Scotia. He did not think that the Imperial Government would consent to release Nova Scotia from the Union—at all events until they had given it a fair trial, and he hoped his friends from that section would make the best of the situation and join in working the constitution faithfully. So long as it existed for the good of the whole Dominion, he hoped nothing would occur which would lead us to seek a change in our constitution. There could be no greater evil in a country than having an unstable, unsettled system of government. Stability was to be hoped for and prayed for. And, though he had been accused at the election of being disloyal, of being a disunion candidate, because of the ground he then assumed, he believed there was on the floor of the House no truer, though no more humble, friend of the constitution than himself. (Cheers).

**Mr. Cartwright** said he had listened with satisfaction to his honourable friend, whom they would always find, so long as he continued a member of the House, a worthy friend or worthy foe. This Union, in its present state, can only be spoken of as an experiment, and much the largest part of the work remains yet to be done. We in Ontario and Quebec have been much better acquaint-

ed with the inhabitants and constitution of neighbouring States than with our kindred subjects in the Maritime Provinces. Until the Intercolonial Railway is constructed, we must pass through a foreign and possibly hostile country, to reach a seaport during a portion of the year. Therefore the task before us is great, and it will require all the energy and skill that Canada can produce to overcome their difficulties and bring this great project to a successful issue. Our whole position is changed, having emerged from dependent Provinces into the semi-independent position of a new Dominion. In future we will have to take a wider view of the position we hold in relation to the British Empire, than we have done. A great majority of leading men will stand by us provided we do our duty by them. This country presents a very vulnerable point of attack, and the British Government have been put to considerable expense in providing our own defence. We therefore have double to do for we have to discharge our duties as citizens of Canada, and as citizens of the British Empire. It is utterly impossible for us to stand alone without the protection of the Mother country, and on the other hand the British Empire could not maintain the sovereignty of the seas if this country was severed from the British Crown and entered into an alliance with the United States. Privateers could then run from the harbour of Halifax to the British Isles in a week, and destroy their commerce. The commerce is a matter of necessity, and the people of England, for without it, one-half of the present people could not be supported, neither could they retain one-tenth part of their wealth and influence in the Councils of the world. Therefore, while it is our duty as subjects of the British Empire to do all we can to maintain our connection with this Empire, we do not come before Great Britain as supplicants, but as fully adequate to render a recompense for all we ask of them. He then referred to the Territory of the Hudson's Bay Co. and said it would afford a great deal of satisfaction to the people of Ontario, that the territory was thrown open to immigration. The next question the Government would have to take up, was Reciprocity with the United States. It was fortunate that the abrogation of the Reciprocity Treaty took place at the time it did, for the blow aimed at us by the people of the United States recoiled upon their own heads; but now that the American war was over, they should take advantage of the present opportunity to renew that Treaty, because it might be more difficult to do so at some future time. There is

an allusion made in the address to protection for native industry. In a young country like ours, maintenance of a certain amount of duty, without violating any principles of free trade, is best. Where any taxes have been imposed to encourage native manufactures, the abrogation of these taxes should not be made suddenly, but they should be made after a term of years, or reduced gradually. He referred to the Commercial Bank and said it was impossible to see how the Currency Act of last session could affect the Commercial Bank or the Bank of Upper Canada in the way its provisions were to go into operations. In regard to the act of Union, he could say to his friends from Nova Scotia that it was utterly impossible to abrogate it. Therefore, they should devote their talents to amend any of its provisions which they considered unjust. There should be no disunion at this time, when they required a strong and powerful government to carry out great ends.

**Mr. Morris** spoke of the superior advantage we could now have in negotiating a Reciprocity Treaty with the United States, compared with the advantages we possessed when separate provinces; and said we would inevitably obtain better terms than we otherwise could have done. Hereafter, the British Government instead of having to deal with separate Provinces, would deal with one central power. They could now have one tariff framed to meet the wants of every section of the Dominion. He could not enumerate the advantages to be derived from the union better than to quote from a speech delivered by his honourable friend from Hants, Mr. Howe, in 1849. Mr. Morris then read portions of that speech which detailed the advantages to be derived from union, and said he was sorry to hear his honourable friend the other night speak of there being a packed majority in this House. He would ask who packed the majority? They came here as free representatives of a free people anxiously desiring to do their best for the interest of the whole union. There was plenty of work for them to do—they must consolidate and bind the Provinces of the Dominion into one harmonious whole and make this union an institution that will secure for their children's children the blessing of a free government.

The first paragraph of the Address was then adopted, and second read, when—

**Mr. Albert Smith**, regretted that Government had not prepared a speech that would not have been distasteful or insulting to those who entertained views different from

them. However, having fought the battle he was now willing to lay down arms, accept the situation, and lend his assistance to make the new constitution successful. (Cheers). He came here unpledged, but was willing to give it a fair trial, and would judge the Ministry on their merits, irrespective of party. He was happy to see a disposition in the House to treat the Lower Provinces with fairness. All they asked was fair play. He thought it premature to join in congratulations on this measure, and exceedingly unbecoming for Government to ask them to join in congratulations who had been so opposed to it. But now it was passed, all should unite to consolidate the constitution and make it work successfully. He objected to the manner in which Confederation had been carried. No organic change should take place in the constitution of any country without the approbation of the people. He regretted very much the retirement of Mr. Galt, of whose financial abilities he had a high opinion, and was happy to find he (Mr. Galt) would give the Government his support. The Government ought to take advantage of his retirement to reduce the number of departments, and thus reduce the expenditure. In conclusion, he was highly gratified at the courteous manner in which the members from the Lower Provinces had been received. Any measures the Government might bring up, which are for the best interests of the Dominion, he would support.

**Mr. Stewart Campbell**, said he never rose to speak under greater embarrassment. Though a member of the Bar and the Legislature of his own Province, yet he stood overpowered with an amount of awe, mingled with respect, not because he feared to give utterance to his views, but because appearing as the representative of a constituency which had honoured him with confidence unsurpassed for unanimity, he came here to vindicate their interests. After further prefatory remarks the speaker proceeded to refer to his own position in relation to Confederation. In the Legislature of Nova Scotia he had maintained an attitude of hostility to Confederation, and in justice to himself he would explain the grounds of opposition. It was well known to his own Province, and to some extent here, that his hostility was mainly based upon the manner in which the scheme was pressed upon the people. He had not canvassed—his constituency was aware of his acts; he was elected by acclamation. He told them from the hustings that as the power in which he owed obedience had decreed the new Constitution, it would be his duty to go

[Mr. Smith (Westmoreland)]

to Parliament and endeavour to extract the benefit and attack the evils of the change. He must declare his hostility to any attempt at repeal. He had accepted the situation. He believed that success in the attempt to secure repeal would be fraught with much greater danger than its failure (hear, hear). He regretted that his honourable friend beside him (Hon. Mr. Howe) had taken an opposite course. He would rejoice if his (Howe's) powerful voice had been with him in making the best of the existing situation. He (C.) should take the course which his own judgment had dictated, however much he regretted differing from his friends. He should look favourably and hopefully to the future under a wise and economical administration. He should therefore refrain from any hostile criticism on the subjects embraced in the address, and in taking this course, he felt that he was justified by his sense of what was right, and was prepared to stand by his decision (prolonged applause.)

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

#### AFTER RECESS

**Mr. A. W. Savary**, said this was the first time he had appeared in a Legislative Assembly, and came here unwillingly, because the people of that Province had been forced into Union. He and his friends did not come here to discuss Confederation, that must be fought, and had been fought elsewhere. Because elements of discord existed in Canada, weakening the old Constitution was no reason the Constitution of Nova Scotia, which had worked well, should be subverted. He argued that the present Constitution, while pretending to be of a Federal nature, was open to all the objections of a Legislative Union, and complained of the extended powers of the Dominion Legislature. In the Province of Nova Scotia they had a banking system, and none of their banks had failed. Here it was different, and was admitted on all hands that the measure of last Session had caused failure, and his Province would be subjected to the same disaster. The tendency of this Constitution was to absorb all the power. He would not so much have objected to interferences in national affairs, but most of their domestic matters were invaded. Nova Scotia was prepared to all its duties of defence, and every other, but he felt the interests of that Province would weigh but little in this Assembly, because of its small representation. They could not congratulate His Excellency, because of the adoption of a Constitution con-



taining elements of discord which they felt would be disastrous. The majority in favour of the scheme in some of the Provinces was because the people felt that opposition was hopeless against the Imperial Act. A discussion had commenced which would never end until it was repealed or amended. Canada and the Home Government had been grossly deceived as to the sentiment of the people of Nova Scotia, and he was astonished that any man should endeavour to keep up the delusion in the face of eighteen representatives against it. He showed that Nova Scotia had not been in the habit of sweeping changes, but on this question it was sweeping. Public meetings had been held in Nova Scotia in which Union with Canada was condemned. Had the question been mooted in the Lieutenant Governor's speech, as large a petition as that sent to the Imperial Government would have been presented to the Parliament of Nova Scotia. That petition contained the names of 40,000 of the adult population of that Province. It had not been pretended that there were that number of voters. He was elected to this House because he and his friends were averse to this union, and he would do all in his power to place Nova Scotia in that position. What right had the Member for Cumberland to speak of the sentiments of the people of Nova Scotia. He would not compare him to the last rose of summer, but as one whom the lightning of popular indignation had left standing there a blasted trunk alone—(laughter)—one who had betrayed his countrymen. He appreciated the kindness of the Canadians in giving advice. In order to avert a Ministerial difficulty he would advise the Ministry to appoint the honourable member for Guysborough (Mr. Campbell) as Secretary for State. He (Savary) and his friends would protect the interests of their constituents as far as they were able, and that was in opposition to the scheme.

**Mr. W. H. Chipman** said the people of Nova Scotia were in a state of mourning and sorrow in consequence of the passage of the scheme. The first time the people of Nova Scotia had a chance they condemned the measure, and how could His Excellency ask her representatives for their congratulations. The resolution passed in the Nova Scotia Legislature embraced all the Maritime Provinces, and when Newfoundland and Prince Edward Island were left out those resolutions were of no effect. The Imperial Government had been deceived by the honourable member for Cumberland, and Mr.

Watkin. He then read a sort of proclamation denouncing the Antis as Annexationists and Fenians, which created considerable amusement. He would do all he could to secure repeal.

**Hon. J. H. Gray** said, it was to be expected that the honourable members from Nova Scotia would take the earliest opportunity of placing before the House their views, their position and the wrongs they fancied their Province had sustained, and it was equally to be expected that their statements would receive from the members of this House the utmost attention and consideration, and so it has been, but as it was now apparent that it was not intended on their part to submit any substantive proposition for the solution of their difficulties; nay even as it was apparent from the statement made by several of those gentlemen, that they were now seeking redress by an appeal to the Imperial Government, it might, perhaps, be as well for the House to go from the consideration of mere sectional matters to those important questions affecting the interest and welfare of the whole people, submitted in the Speech from the Throne—questions which ought to be approached with a calmness which rises above all personal considerations, and with a breadth of view which goes beyond all sectional interests. Within his limited knowledge of history no instance had ever occurred where the Executive Head of a Government had ever placed before the representatives of a free Parliament assembled, questions so varied and so important, and under circumstances so peculiar. But before going into the consideration of these questions he wished to be permitted to express his full concurrence in the regret of the honourable member from Cumberland by his side that the honourable member from Hants (Mr. Howe) was not in a position to give his services to his whole country, instead of to a part of it. That he who had been one of the first and ablest advocates of Union should now be the opponent of that great measure. That the position of those two honourable gentlemen, the member for Cumberland and the member for Hants, had brought before his mind two graphic pictures with a vividness and a force he had never before realized. When he had heard the honourable member from Hants describing with his well-known power and eloquence, the wrongs and insults he conceived his Province had sustained in the mode by which this Union had been there brought about. When he pointed to the fact that the late elections throughout that

Province, had conclusively proved the indignant sense of injury which his people felt. When he charged all this upon the honourable member from Cumberland, and when he (Mr. Gray) turned and looked at his honourable friend by his side, and saw him there the sole survivor of his shattered band, not a single man from his own Province with him, and when he rose and answered the honourable member from Hants with words of defiance, he (Mr. G.) could not help recalling that splendid passage in the second Aeneid, where the Prince of Troy, himself the sole survivor of his shattered band—his comrades slain—his hopes destroyed, the city of his pride in flames, in the last madness of despair exclaims:

Arma viri ferre Arma  
Vocat lux ultima vocat  
Reddite me Danais...  
Nunquam omnes hodie moriemur inulti

And his honourable friend, on his left, was not unavenged. As he heard him answering the honourable member from Hants—charge by charge—reading from that honourable gentleman's own speeches passages of glowing power and beauty, in which he had himself described the advantages of Union. When he saw the honourable member from Hants shrinking under the infliction, and shading his brow with his hand as if to screen the vision of the past from the vision of the present, he could not help thinking there was another picture before them. Where a great man who had been the victor of a hundred fights—had at length succumbed to a power he could not control—there sat

The desolator desolate,  
The victor overthrown,  
The arbiter of others fate,  
A suppliant for his own...

And it was with deep regret he saw it. The honourable gentleman residing on these inland waters did not understand the feeling with which the men who came from the Maritime Provinces, where the wild sea waves beat an everlasting requiem on their shores, regarded the honourable gentleman from Hants. They looked back to the struggle of his early life, when almost unaided and alone he contended in his own Province against fearful odds, for the rights and liberties we now enjoy, when the hand of power was laid with iron grasp upon the people—when the very debates of the public assemblies were held with closed doors—when exclusiveness and favoritism governed the country—and justice to the masses was unknown. Sir, they believe that to him—more than to any other now living man—they owe

[Mr. Gray (Saint John)]

the constitutional liberties of British America. But on the questions now before them, he differed with the honourable member. The honourable member had objected to that passage in the speech which referred to our "new nationality," but if there was one passage in it more than another with which he fully and cordially concurred, it was that passage. Here was the representative of the Sovereign pointing out to us, the path of greatness, of power; that we were no longer Colonists; that we must prepare ourselves to take our place amid the nations of the earth; to be the masters of our own destinies; to control and guide our own footsteps; not torn from the Motherland like the thirteen Colonies of old, with bleeding trunk and severed limb, but going forth in the full power and strength of a vigorous manhood with a parent's blessing on our head. But there was one thing that we wanted, which the people would demand, which this Parliament ought to foster and create. If the recollections of his school-boy days were right, there was a myth amid the classic legends of the past, that on one occasion a statuary formed a figure of such faultless mould that he fell in love with the work of his own hands, and poured forth his soul in adoration of his own creation, but when in the impassioned frenzy of the moment he clasped the figure to his arms, the cold marble gave back naught but an icy chill. There was no blood, there was no life, there was no heart there. And so it was with us, we had a noble constitution. Its foundations were laid broad and deep upon the common law of England—upon the broad basis of equal, civil, and religious rights. No privileged class; no wronged and trampled race marred the symmetry of its fair proportions. Every man from the highest to the lowest could stand forth in the presence of the majesty of the law upright and self-respected. Its superstructure had been reared with a due regard to all those precedents which the history of the Mother Country proved were the best guarantees for stability and freedom in the Government of a country, but still there was something wanted. We wanted a national spirit; a national pride; a national heart. We wanted that every man who belonged to this country—never mind whence he came or where his birth place, should feel that his interests, his hopes, his all, were identified with this country. That he must share in its adversities and trials as well as in its prosperity. That it was not a place to come and make a few pounds, and then go off to other lands, but that it was the first and

last place to which his affection, his devotion, his attachments should be turned,

"That go where'er he may, where'er his footsteps roam,

This spot's his country, and this land his home."

That to be a Canadian, not in its former limited sense, but in the sense of the new Dominion, was to belong to a country of which any man might be proud. This national sentiment must be fostered, must be encouraged. He was an Englishman in every fibre of his frame, and every pulsation of his heart. He loved England still, but he loved Canada more. (Hear, hear.) And this must be so with all, who wish to be true to this country. Such were the sentiments he gathered from the expression in the speech from the Throne, and with it he most cordially concurred. But arising out of this position, and springing from it were new duties and new responsibilities. We cannot expect to have all the advantages of freedom, without assuming its burdens, and prominent among them was the question of our defence. It would not perhaps be correct to enter fully into the discussion of this question, until the Government had submitted the plans they proposed to the House, but as it had been talked of a great deal, and discussed very generally in the papers, it might not be out of the way to make a few observations. It had been said that very large sums of money were to be expended on permanent fortifications on the subject of such defences; public opinion, during the last ten or twelve years had undergone some changes. The real defences of Sebastopol on the land side which kept the whole French and English armies before them for some fifteen months, were in a good measure improvised by the genius of Todleben in a few short weeks. In 1814, the defence of New Orleans was made by hastily throwing together a number of bales of cotton, and yet the most splendid fellows of the Peninsula, men who have sealed the ramparts of San Sebastian and stormed the walls of Badajos, who from Talavera to Toulouse had carried the colours of their regiments in triumph on every field, went down before those cotton bales like grass before the mower's scythe. The defences of Richmond which kept Grant with his 300,000 men before them for months, and would perhaps have remained untaken to this day, but for Sherman's march across the country were nothing but temporary ramparts hastily thrown up, and which probably ere this have again been levelled by the farmer's plough. It may be that in some positions permanent defences to some extent may be necessary, but in this respect he fully

concurred with the opinions expressed by the member from Durham, that such expenses ought only to be incurred after the most thorough consideration. The Minister who undertook to spend a million or a million and a half of pounds, raised out of the revenues and taxes of the people of this country, at such a time as this, when we had no reason to dread anything, assumed a fearful responsibility. He himself believed that the best defences of any country would be found in the attachment of the people to its institutions—in the confidence, they had in the administration of its laws, and in the judicious management of its finances. Beyond these, its best defences consisted in moveable fortifications. Arm and drill, and organize the young men of the country—pay them well, and he believed when the necessity arose, willing hearts and hands, ably led, would constitute a more available defence than permanent fortifications which might entail enormous cost upon the country (hear, hear). But he found it discussed as if it was only contemplated to defend Montreal and that portion of the country above. All of the Dominion below seemed entirely ignored. He fancied from what he had heard and read since being here that many people in Ontario conceived that New Brunswick was composed solely of Mr. Tilley and a few oysters, and that Nova Scotia was occupied by Mr. Howe and a codfish. (Laughter.) He hoped before the Parliament rose they would be of a different opinion. Another question to come before the House was the Intercolonial Railroad. He had heard a good deal about the route which should be chosen, but that great work must be placed where the interests of the country most required it, and not where it would simply serve the purpose of a section. (Hear, hear.) The fifteen millions of dollars to be expended on that great work for which the whole country would become responsible, and which the whole country would have to pay, should be expended on that route, which would best serve the general interests of the whole Dominion, as they could not have the Intercolonial Railway running to every man's door, or make its construction subservient to petty local claims. He then referred to the subject of retrenchment, which had been alluded to by honourable members. He believed no word in the English language had been put to more unworthy uses than the word "economy." Economy had been made the packhorse of every politician, and had rarely indeed been rigidly practiced. The gentlemen on the Treasury benches used it to keep themselves in office, and the Opposition used

it for the sake of getting there (laughter). His honourable colleague from New Brunswick, the Minister of Customs, and himself, had been in Parliament together some seventeen years, and until the question of Confederation came up had been opposed to each other. He had often heard that honourable gentleman eulogise this splendid animal—see he would say—his small and well pointed ears—look at his full clear eyes, and see what withers—what broad loins for strength—and then look at his hocks and his pasterns, why Fanny Elster couldn't show such heels—hasn't he a slashing trot—and what a lope in his canter—isn't he a splendid animal? And when he says to his honourable friend, "Well then, why don't you mount and ride?" What was his answer? "So I would but he kicks."—(laughter)—and so it always was. He would like to ask the honourable gentleman, the Member for Cornwall, who was sitting over in what might be called the Temple of Janus, but which in this Augustan age of Canadian politics was shut for the first time, whose occupant generally had one eye looking at the opposition behind, and the other peering over into the Government pasture, whether he had ever known a Canadian politician use this animal except as a hack. The fact was, the public had lost all confidence in the word. What the people did want was justice to public servants—a fair day's pay for a fair day's work—pay your public men what their abilities, their integrity, and their industry would command in the other pursuits of life. You want the first men for that public service, let your compensation be such as would secure them, but get rid of the drones that hang around the public departments. Burke had laid it down somewhere—  
that the statesman who based the foundation of his country's greatness on the possession of extraordinary virtues, would find its superstructure raised in extravagance and corruption.

We must legislate for men as we find them, liable to temptation, to folly—with faults and vices. We can't expect them to be angels. The honourable member from Hants referred to the Governor-General's salary as being far larger than that of the President of the United States, but was it now well known that while the salary was only \$24,000 a year nominally, it was actually \$100,000. What was the picture presented in the United States at this very moment? The wife of the late President offering for sale the most costly articles, and stating over her own handwriting in the public prints, that those presents had been given by the supporters of the Administration, and others, to obtain places

[Mr. Gray (Saint John)]

of emolument, and profit and contracts for themselves or the members of their families, or friends. Better give the Governor-General twice the salary than see the public offices of the country bartered and sold by his household or his ministers in such shameless corruption. Such a system demoralises the whole country. Far better to pay your public men well—exact a rigid discharge of their duties, discountenance corruption, and preserve the character of the country. He trusted that in the consideration of all these questions, they would be regarded in the light of a broad, ample and generous patriotism, that they would approach them with such a spirit. A lofty patriotism rising above all sectional interests and all personal considerations, would be like the serpent raised by the Jewish lawgiver in the wilderness, not only the emblem of your country's wisdom, but the emblem of your country's salvation. Look upon that and live, act upon this, and be saved. He trusted, moreover, the Government would bring down those measures with the least possible delay in order that those people at a distance, who were represented by the honourable members from the Maritime Provinces, might have the opportunity of considering them. They had no fear of the result; no apprehension that injustice would be done them by their fellow-countrymen of Canada. They had come here in the fullest confidence that their interests were safe, and he trusted and believed that in their deliberations in this House they would receive at the hands of the representatives in the Canadian Provinces liberal, generous, and hearty assistance. (Applause.) And we believe that the honourable member for Hants (Mr. Howe) after having discharged his duty in protesting against the manner in which the Union had been accomplished, would be found one of the firmest pillars of the Dominion. (Cheers.)

Mr. A. G. Jones said if there had not been a statement that there would be no amendments, he would have simply recorded his vote. He came here in obedience to an Imperial statute, and would support good measures and oppose bad, without regard to either party in the House. He was not aware that there was an American or Fenian sympathiser in Nova Scotia, and yet because his party had endeavoured in a constitutional manner to oppose the Union, they had been charged with disloyalty by the honourable member for Cumberland. He remembered the time when the whole revenue has been placed at the disposal of the Commander-in-Chief for the defence of Canada if needed.

He complained that only one man in the Senate represented the feeling of the people of Nova Scotia. The old loyalists were satisfied to remain a part of the British Empire, and now they were told that they would form part of a new Kingdom. His Province would not shrink from its duty in a military point of view, but he warned the House and Government not to adopt any ill-advised measures which might cripple our finances for all time. They would show the Imperial Government that the views of the Antis were the views of the people of Nova Scotia, and they

had a right to demand a reconsideration of the Union scheme.

**Mr. Croke**, coincided with his honourable friend from Hants, and the other Antis from Nova Scotia. He complained of the high tariff of Canada, and annual deficits, for which there was little to show, while the debt of Nova Scotia was for valuable public works. He thought, however, the act might be so changed as to meet the approval of Nova Scotia. In any steps towards that end he would lend his assistance.

The House adjourned at 11.25.

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## HOUSE OF COMMONS

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Tuesday, November 12, 1867

The Speaker took the chair at 3 o'clock.

**Mr. Mackenzie** resumed the debate on the Address. He said that on rising to address the House on this occasion, he felt fully sensible of the responsibility resting upon him as a member of this great assemblage, as one belonging to the principal Province of the Dominion—superior in numbers and wealth, and possessing the Capital of the Confederation. He felt that it devolved particularly on the people of Ontario to act the part of hosts towards their Lower Province brethren, and to extend to them all a hearty welcome, and that candid and just consideration which was most likely to cement their future relations, and to produce that spirit of harmony which must prevail amongst them, if they were to live together and prosper as a nation. Looking upon the Confederation measure as the triumph of those principles for which, as a humble member of the Reform party, he had long contended, he could not but join in the congratulations on its achievement, and it was with emotions of deep regret that he was compelled to witness a cloud still hanging over the measure, as regarded the eastern portion of our Dominion. He trusted, however, that by their joint efforts they might yet be able to remove the causes of discontent and dissatisfaction in that Province. Mr. Mackenzie then referred to Mr. Howe's statement last night, that he had felt it to be particularly unkind, that his Reform friends in the West should have been found arrayed in an attitude of oppression towards Nova Scotia. On their behalf, he repudiated both the intention and the act, and said that if there was blame anywhere, it rested with the legislature of that Province which had given a direct sanction to the course pursued in England by the delegates. He proceeded to advert to the present position of parties in the legislature. He contended that the conflict of parties was necessary to the success of representative institutions, and that there could be no more reasonable division of parties than that which divided them into Reformers and Conservatives. They were told now by gentlemen opposite, that there was no longer any need of party, that party

ties ought to be obliterated and that all should be ready to take good measures from any Government, and support any Government that might happen for the time to be in power. If this arrangement were followed out to its legitimate conclusion, it would amount to this:—that the Government of the day should retain power in perpetuity. A Government would only have to yield occasionally, as the necessity arose, and retain its large majority indefinitely. He for one could not give his assent to a policy of this kind, the effect of which would not be to build up the national interests, but merely to hold a certain class of men in office for ever. During the election, it was assumed that all patriotism was on the side of the gentlemen who composed and supported the Government. He had thought that he had acted a patriot's part in doing all that lay in his power to support the Government in carrying the Confederation measure; but when the elections came on, the Minister of Public Works and other Ministers crowded into his county so thick and fast that he could scarcely count them, branding him as a disunionist and as disloyal to the British crown, which, in their estimation, was the equivalent of being in opposition to the Minister of Justice, and his new follower, the Minister of Public Works. A charge of disloyalty against him was also founded on the assumption that he was to form an alliance with the member for Hants (Mr. Howe), who to the people of the West was painted as black as a demon. They were told that the member for Hants had declared he was ready to march to the frontier at the head of an army of Bluenoses, with bayonets fixed, to drive off the Canadians, and that he had openly avowed his preference for annexation. Fortunately, he had some familiarity with the speeches of the member for Hants, and had been able to repel the charge, brought against him by the Minister of Justice, and the Minister of Public Works. Similar charges were made with equal untruthfulness against his Liberal friends in the Province of Quebec. In this connection, he quoted a speech made some years ago by the Minister of Public Works on the loyalty cry raised against the Reformers of that day, and said the remarks of Mr. McDougall as to the course of the Tories then were singularly

applicable to his own course during the late election. As that gentleman then remarked, the cry of disloyalty against an Opposition simply meant the sweets of patronage and the beauty of place. He regretted to find the member for Cumberland (Dr. Tupper), bringing a charge of Fenianism and Annexation against those who had opposed him and his friends. The only attempt which had been made to prove the existence of a body of Fenians in any part of the Dominion was by the member for West Montreal (Mr. McGee), but the attempt of that honourable gentleman to cast an imputation on the loyalty of the people of Montreal had most signally failed. Mr. Mackenz'e then referred to the appearance of the Premier of Ontario in his (Mr. Mackenzie's) constituency. It was somewhat remarkable that his honourable friend should have considered it consistent with his party proclivities and past associations to have made such efforts to secure his (Mr. Mackenzie's) defeat, and it was all the more remarkable, because, during this crusade, he still claimed to be a Reformer. Indeed, he told the people of Lambton that he had taken the member for London (Mr. Carling) and the member for East Toronto in the Local Legislature (Mr. M. C. Cameron), into his Cabinet, not as Tories, but as apprentices to learn the Reform business, and declared that if they did not learn it very quickly he would kick them out of his Cabinet. Mr. Mackenzie went on to express his fears that the existing Administrators were disposed to curtail, if they could, the powers of the Local Government, the maintenance of which he thought was essential to the success of the political experiment on which we had entered. He went on to express his dissent from the tone assumed by the member for Hants with reference to the ability of Canada to defend herself. In the war of 1812 we were able not only to maintain our own ground but to carry offensive operations into the enemy's country. The population of the United States at that time was something under eight millions, while that of Canada was under four hundred thousand. Now the population of the U.S. was thirty millions, while that of the British Provinces was four millions, so that relatively we were stronger now as a people than we were in 1812. He (Mr. Mackenzie) would not consent to form part of a people that lived by sufferance. He preferred belonging to a people that could assert its own power and nationality—(Cheers)—and whatever may be our future position, in the meantime we had the power of the British empire at our back. And though it might be

[Mr. Mackenzie (Lambton)]

true that the maintenance of these Colonies was, in one sense, a source of weakness to the Imperial authority, it was also a source of power in another sense. Every student of history knew that the fall of the Roman empire dated from the time at which it withdrew its arms from its distant possessions and left its Colonies to shift for themselves. He believed we had territory enough to build up a great nationality in connection with the British Empire. At the same time, he deeply regretted that there had been so much in the tone of a certain class of our public journals and our public men to give rise to an ill-feeling towards us in the United States. He was surprised to find no reference in the Speech to any attempt to obtain reciprocity of trade with the United States. He could scarcely have thought it possible that an Administration could have been in power four or five months without taking some steps to secure a free exchange of our products with the neighbouring country. He regretted also the omission of any reference to the necessity of taking steps for the protection of our shipping. He alluded to the hardships to which our shipping on the Western lakes was subjected under existing American regulations, and said it was a matter which deserved the very serious attention of the Minister of Marine. He proceeded to refer to the resignation of the Minister of Finance. He believed that gentleman had resigned because he knew that the deep feeling of dissatisfaction which prevailed through the Western Province, would soon find expression in this House, even from gentlemen on his own side. The member for Lennox (Mr. Cartwright), had stated that he had been unable to trace any connection between the policy of the late Finance Minister, and the failure of the Commercial Bank. Perhaps the directors of a bank were not the best parties to appeal to in order to assert the reasons of failure on their part, but he knew this, that when the honourable gentleman was passing the bank act of last session, he was warned of its consequences, and the member for Lennox himself pointed out that by giving so much power to one Bank (Montreal) its effect would be to weaken all the others. Very soon after the passage of the act, the Bank of Upper Canada succumbed under the blow, causing a loss to the people who held its bills, in his own constituency of as much as seventy or eighty thousand dollars. Then came the recent failure of the Commercial Bank. The honourable gentleman's bank of issue scheme would be judged in the light of these events, and not of the fine spun theories with which it was



introduced to the House, and which had failed to be realized. The member for Lennox congratulated the House the other night that the speech indicated that ministers contemplated giving some protection to native industry. He (Mr. Mackenzie) had not observed in the speech any such reference, and he believed that at this stage in our history it would be an exceedingly imprudent and wrong thing to introduce a protective tariff. It was true that last session we had taken ground against the removal of certain duties, but he did so simply because of the unfairness of such a course towards certain branches of trade which had been built up under the protective tariff of a few years before. He went on to say he would judge of the measures which emanated from the administration on their merits, although he must confess the mere introduction into the cabinet of the gentleman who had formerly acted with him, gave him no guarantee that these measures would be such as would command his confidence. He then contended that the list of measures promised in the speech did not bear out the argument made use of during the election that a Coalition was necessary to provide the machinery for fairly working Confederation. He considered there was no measure alluded to in the speech which required the existence of a Coalition to frame or carry. Having referred to some other points which had arisen in the course of the debate, Mr. Mackenzie concluded with an expression of the hope that the deliberations of this Legislature, whatever their effects on party politics, would result in building up this nationality, and that they might be able to adopt such measures as would promote the interests of the people of all portions of the Dominion. (Cheers).

**Hon. Mr. Galt**, in reply to the remark of Mr. Mackenzie, said the people of Ontario had shown in their vote at the last election that they did not agree with the sentiments of that gentleman and they approved of the policy of the Government of which he (Mr. Galt) was a member. The failure of the Bank of Upper Canada could not be attributed to the passing of the currency act, as that Bank failed before the currency act came into effect. (Hear, hear). With regard to the Commercial Bank they had the statement of the President of that Bank, to the effect that its circulation was greater at the time of its failure than when the currency act was passed. He could not accuse him of effecting in any degree the failure of the Commercial Bank, and had no doubt when the facts

became known, it would be seen that he who had been represented as opposed to Upper Canada interests, and as sustaining Montreal interests, was as true to Upper Canada as any other member of the Government. He trusted the people of Nova Scotia would be treated in a conciliatory spirit and they would find nothing to complain of in the treatment received from the Government. He felt satisfied that means could be adopted to develop the resources of that portion of the Dominion as well as other portions, and trusted that the able men representing Nova Scotia, in this Parliament, would give their assistance in making the Union successful.

**Dr. Tupper**, in reply to Mr. Howe's speech, while admitting that the Union party in his Province had been handsomely beaten, said that the Union question, pure and simple, was not the issue at the election; but that a number of local questions had been mixed up in the contest. Before the election; a new representation and franchise bill had passed the Legislature. Had it not been for these acts, his friend, the Provincial Secretary, would have been elected, as he had a majority of those who had voted on previous occasions. At the election before the last, he was in a majority. At the last election, if the franchise had remained the same, he would have received a majority of between 200 and 300. He had received the support of men who had formerly been among his most influential opponents, simply because he supported Confederation. In Halifax, the commercial and political metropolis of the Province, a majority were in favour of Union. In Pictou, also, as it existed prior to the passage of the Representation Bill, a majority voted for the Union. In other places, too, the defeat of his friends was caused solely on account of the unpopularity of the Government on local questions. He had no reason to apprehend that there would be any bitter hostile sentiments prevailing among any large mass of the people with reference to union. The honourable gentleman then referred to Mr. Howe's former advocacy of union, and quoted passages at length from that gentleman's speeches. No man, he declared, had done more to educate people in the Lower Provinces in union principles than Mr. Howe.

**Hon. Mr. Galt** rose to reply to the statement that he had at last given way before the widespread discontent on account of the financial policy of the Government. The people of Ontario had given proof of their confi-

dence in the policy of both the late and present Governments, of which he had been a member, by giving them their support, and so far as the Banks are concerned the last election had given conclusive proof that there was no feeling then against the Government on their account. With respect to the Bank failure, it was a fact that the Bank of Upper Canada had gone down before the Currency Act came in question. With regard to the Commercial Bank we had the statement of its President that its currency, the only thing affected by the Government policy was actually larger when it failed than when the Act came into force. We had also evidence no less positive that the Bank had locked up nearly half its capital in one speculation; that other investments of a character not immediately convertible had reduced its means, but these transactions had nothing at all to do with the policy of the Government. It might also be acknowledged that the suspension of a large commercial house in Hamilton, the head of which was known and respected by all (hear, hear), who, as a politician, and a merchant, was one of the landmarks of his country, and for whose misfortune they all felt a great deal of sympathy (hear, hear), had contributed to shake the confidence of depositors in the Commercial Bank, because it was generally understood that the house in question had had large transactions with the Bank. With respect to the establishment of an agency of the Bank of Montreal in the Lower Provinces, it was perfectly true that this had been done, but to say that this had interfered in any way with the currency of the Province was utter nonsense. The Bank of Montreal did the Government business in the greater part of the Dominion, and it was natural that they should extend an agency of that institution, to do the public business in the Maritime Provinces. The Government made its disbursements in these provinces with drafts on the agency of the Bank of Montreal, payable in gold, or the equivalent of gold, and the money paid out had exceeded the amount received. The policy of the Government had been equally just to all parts of the Dominion; it had not operated to the injury of Ontario, nor would it prove injurious to the interests of the Maritime Provinces (hear, hear).

A conversation here took place between the late Finance Minister and the member for Hamilton in reference to the opinion of Ontario.

**Hon. Dr. Tupper** said it would not be respectful to his friends opposite if he did not

[Mr. Galt (Sherbrooke)]

say a few words in reference to the position which they assumed, that Nova Scotia was really opposed to Confederation. He had stated that his opponents had not polled half the votes of the Province, and that remained uncontradicted. He (Dr. T.) had stated that his honourable friend had done more to educate the people of B.N.A. up to Union than any other. His honourable friend knew that the sentiment of Union had always been favoured by the public sentiment of Nova Scotia. The Union party had been thoroughly beaten, but they would have been beaten had that question had no existence. His honourable friend had not come forward to oppose the measure at its inception, but only when his position as an officer of the British Government was lost. The attitude of Halifax, the metropolitan city, containing the wealth and influence, was used to send broadcast the warning that if Confederation was carried, the usury laws would be swept away, and every borrower would suffer. His friend opposite had held up Canada and Canadians to the execration of Nova Scotians. He was sorry to find that the spectacle of 100,000 men in arms in the United States had completely changed the patriotic sentiments of his honourable friend. The movement in Nova Scotia, against Union was not spontaneous, but was manufactured in Halifax. He (Dr. T.) was prepared to prove that the late change of the franchise disfranchised 1,000 voters, two-thirds of whom were his own, and still he was returned; many of his political opponents coming to his aid for the purpose of carrying Union. He deprecated the manner in which local affairs had been introduced into this House by the honourable member of Hants. The learned gentleman instanced the manner in which the uniformity of a postal system would be a great benefit to Nova Scotians, as well as Canadians. He regretted the absence of the Secretary for the Provinces, and went on to describe the manner in which constituencies were carried against Union by small majorities, and showed that a reaction had already been begun. His honourable friend had stated last night that he had never advocated a political move with Canada, but he (Dr. T.) would read extracts from the honourable gentleman's own paper, edited by himself, which thoroughly disproved the position taken by the honourable gentleman. If the sentiments he had read were not those of his honourable friend, he had certainly been most remiss in repudiating them. They were the outline of the present Constitution, and from 1838 until very recently the member for Hants had not disclaimed his responsibility

for recommending it. The honourable gentleman in 1849 had again made recommendations that did great credit to his sagacity, seeing that they had been taken up and now formed the Constitution of the Dominion. His speech then would remain when the honourable gentleman was gone. He did not object to a statesman changing his opinions, but he should give a clear and concise reason for such change, which his honourable friend had utterly failed to do. When that gentleman had said that next to representation in the Imperial Parliament a Federal Union was best, and nothing had been done towards securing the former, we were fairly entitled to ask the honourable gentleman to come forward, and assist in working out the system which he had himself recommended. Had the honourable gentleman merely advised the change, and a disturbance of the old Constitution, from a whim? A number of further extracts from speeches and letters were quoted, showing the inconsistency of the honourable member for Hants, and the speaker said that it was a poor compliment to the intelligence of the House, to suppose that they could not see insincerity in his former position, and that which he now occupied. The speaker paid a high compliment to the Hon. Mr. McGee for his efforts in promoting Confederation, and at one time in moving thanks to that honourable gentleman. The member for Hants said he was in favour of the Intercolonial railroad first, which would bring Union and make Nova Scotia the frontage of a mighty nation, and yet he now endeavoured to show that the strength of Nova Scotia was in isolation. When he (Dr. T.) advocated a union of the Maritime Provinces, he at the same time advocated the union of British North America. A resolution was passed in the Legislature of Nova Scotia in favour of the smaller union, which would have been even a greater change of the constitution of that Province than the present; and yet it was never proposed that that question should be submitted to the people, but should become law as soon as it passed the Provincial Legislatures and received the Royal sanction.

It being six o'clock the learned gentleman said he would like to finish his reply while the honourable member for Hants was present, as he understood he would not be in the

House in the evening, but he would not infringe upon a rule of the House.

The Speaker then left the Chair.

**After recess,**

**Dr. Parker** suggested the propriety of an adjournment to enable members to attend the concert of the Protestant Benevolent Society.

Agreed to.

#### NOTICES OF MOTION

**Mr. Bodwell**—That an humble address be presented to His Excellency the Governor-General, praying him to cause to be laid before this House all papers and correspondence relating to the claims of the Hudson's Bay Company over the Northwest territory by the late Province of Canada or the Dominion.

**Mr. Oliver**—Address to His Excellency, the Governor-General, for a return of the quantity of beer manufactured, and the quantity of grain used in such manufacture in each brewery in the Province of Ontario since the 1st of July, 1867.

**Mr. Blake**—That he will on Thursday next move the House for an address to His Excellency, the Governor-General, praying that he will be pleased to cause to be laid before this House, with all convenient speed, copies of all warrants, orders, records, documents and other legal proceedings, had or taken in relation to the extradition of Lamirande, and also copies of all the despatches and correspondence between the Governments, as well of Canada, as of the Dominion and the Imperial Government, and also copies of all official correspondence and memoranda of the legal advisers of either of the said Governments, and of all communications by them to His Excellency, and of all other papers on the subject.

**Mr. Benson**—Whether it is the intention of the Government to complete before the opening of navigation in the ensuing Spring the excavation for several years in progress on the Welland Canal, and also such other work as may be necessary to admit the waters of Lake Erie through the said canal.



## HOUSE OF COMMONS

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Wednesday, November 13, 1867

The Speaker took the Chair at three o'clock.

Messrs. Webb and Pope took the oath and their seats.

Three petitions were presented and two read.

**Hon. Dr. Tupper** resumed the debate on the address. He said some honourable gentlemen might take objection to bringing before the House after-dinner utterances on public questions, but these were the occasions taken advantage of in England by statesmen to make their sentiments known, and of that nature was the honourable member for Hants' drill shed speech. In that speech he had thanked God he was not only a Nova Scotian but a Canadian as well; and the speaker went on to read extracts from that speech amidst cries of "hear, hear". In relation to the project advocated by some in Canada of dissolution, pure and simple, the honourable gentleman had said that such men ought to be crucified. That speech had been published in his own organ, and he believed, revised with his own hand, on a day which of all others he ought to have been able to give a clear expression to his ideas. After having heard his (the speaker's) views in favour of Union, the honourable member had promised his assistance—it was true for a union of the Maritime Provinces, but it was with the full knowledge that it was his (the speaker's) and his friend's intention, if possible, to extend the Union to all British North America. He referred to the change which had taken place in Nova Scotia, because the sober second thought of New Brunswick had been in favour of Union with the great Provinces of Ontario and Quebec, and that Province might become the frontier of a great power, while Nova Scotia would be left in a state of isolation and weakness. This Union of British North America would remain an evidence of the prophetic spirit of Lord Durham. He would read an extract from that nobleman's report showing that to carry Union he (Lord D.) only looked to the Legislatures of the Provinces. He said not a word about the

un-British idea of a constitutional change being referred to the people, rather than to their representatives. He (the speaker) contended that at one time under the unfavourable circumstance of New Brunswick having decided against Union, it was wise not to push the scheme immediately in the Legislature of Nova Scotia, but when the change took place in New Brunswick, the situation was changed. He had felt that if we rejected the advice of the Imperial Government, it would tend to a severance of British connection. It being incumbent upon the Mother country to defend us, she had a right to ask us to combine to make that defence effective. He showed that if Nova Scotia had not gone into Confederation, it could not have met the changes on the revenue without revising the tariff. He said a more loyal people than the Nova Scotians did not exist, but he did say Fenians and annexationists had everywhere, and in every instance, given their sympathies and assistance to the Anti-Unionists. The honourable member for Antigonish had thrown out the insinuation, that a large number of Nova Scotians were disloyal, and read an extract from his speech in which that honourable member had said that a few years ago, there were none disloyal, but he was not sure he could say as much now. He would show that the member for Digby had pledged himself in a speech on the hustings to give his assistance in securing peace and prosperity for every part of the whole Dominion. He appealed to his friends around him from Nova Scotia, having had their revenge—having driven from public life one of the best men in the Dominion, and left him (the speaker) alone a blasted trunk. He would appeal to them now to look upon this question in a broad, generous, patriotic and statesmanlike manner. Many of them, particularly the member for Cape Breton, had promised to give the Constitution a fair trial, now that it was the law of the land, and he hoped to hear a generous response to the call of patriotism from all. They were in a position to take a course that would redound to their lasting credit, and the best interests of their own Province and the Dominion. It was fortunate that the Provinces held their power from an imperial source, and if any injustice were attempted they could appeal to an

independent and just arbitrator—to the Imperial Government. If Nova Scotia took the ground of repeal, they would injure their advocacy of a re-adjustment of commercial relations and of the Intercolonial Railway. For these reasons alone, they should accept the situation and not take up the role of the Ishmaelite, with their hand against every man, and every man's hand against them. Should they adhere to repeal, they would weaken any party they attached themselves to, either Ministry or Opposition. (Applause.)

**Mr. Bellerose**, after enthusiastic congratulations on the benefits of Confederation, and insisting on the importance of the currency and the militia questions, said that the Lower Canadian opposition had tried to raise up prejudices against Confederation, but had utterly failed after full explanations were given.

**Mr. McLellan** said Mr. Speaker, I have listened to the appeal to the representatives from Nova Scotia by the honourable member from Cumberland, to accept the situation and aid in perpetuating this Union. Earnest and energetic as the honourable member was in his appeal, there is one of much more power and effect coming up to us from the people we left behind—whose wishes we must obey; whose interest we must never forget. He asks us to follow the example of the member from Westmorland, N.B. who gives his adhesion to the Act, but he forgets the difference in our positions. The member for Westmorland is here from a Province, the large majority of whose people approve of his course, whilst we are sent here by a people who strongly disapprove of the Act in all its main features, and desire to have restored to them the power to control the affairs of their own Province, in conformity to the principles of the British Constitution. He reminded us that we have been treated by the House with courtesy. True, we have no cause for complaint on this point, but if we follow his advice—if we disregard the wishes of our constituents; if in a word, we betray them, then will we forfeit our claim to the civilities and courtesies of every honourable man in this House. He thinks we should rest satisfied with having had our revenge at the polls. He mistakes the people of Nova Scotia, if he supposes they are to be satisfied with this. They have been insulted and have had some measure of revenge, but the wrong done them has not been redressed, and without that they will not be content. The honourable member would have this House

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believe that this feeling is not general throughout Nova Scotia, because the Unionists polled about 13,000 votes at the recent election out of 47,000, but the House will bear in mind that this number was only obtained by the utmost possible pressure of both Governments under the favourable circumstances of having the measure passed inducing very many thereby to believe that as the act was done, there was no remedy, and the men who framed the measure of Union should be elected to put it in operation. He refers particularly to the county of Annapolis, and states that in 1864 that county gave a majority of 250 in favour of the gentleman who now represents it in this Parliament, whilst at the last election, run on this question, his majority was only one hundred and fifty. He should have informed the House, that in addition to the change in the franchise reducing the number of voters, that the Union candidate had sustaining him all the influence connected with the building of eighty miles of railway for the benefit of that county. He tells you that in the county of Colchester, the gentleman appointed to the office of Home Secretary, polled a majority of the votes in one Riding. It is true that in that Riding of the county, where all the officials reside, and through which the railways to Pictou and Halifax pass, my opponent had a majority of forty-two votes, but the whole county gave me a majority of 372. If the honourable member from Cumberland means to have the House infer from this that I only represent a portion of Colchester county, I might retort upon him, and by the same mode of argument, prove to the House that the honourable member himself does not represent the county of Cumberland, or in fact anything belonging to Nova Scotia. I could inform the House that taking the county of Cumberland on its original boundaries, the vote was against the honourable gentleman, but in a polling section recently added to the county he had a majority sufficient to return him for the county. I might explain to the House that in that Parrsboro polling section, there is a public wharf known all over Nova Scotia as the Parrsboro Snag. Ever since its construction this Snag has been a continual drain upon the public treasury, so much so that the one gleam of comfort we have in Nova Scotia is that Confederation relieves us of the whole cost of its maintenance. The House will already understand that this continual expenditure made under the authority of the honourable member renders him very popular in that polling section, giving him its vote and thereby his election. Now, applying

the honourable gentleman's mode of argument to his own case, he becomes the representative of the Parrboro Snag, and as that now belongs to the Dominion it follows that he does not represent any Nova Scotian interest which gives him leisure to undertake the task of representing the honourable member for Hants (Mr. Howe), which he does in a manner, which that honourable member calls misrepresentation. The honourable gentleman from Cumberland has spent a part of two days in attempting to prove the member for Hants inconsistent on the question of Union. Suppose he should succeed it would only destroy the assertion he made in the outset that the result of the Nova Scotia elections was due to the eloquence of that honourable member. Suppose it to be true as asserted that he did in former years indoctrinate the public mind in favour of Union, then his subsequent labours would not more than frustrate his earlier efforts, and, therefore, he proves his own first assertion incorrect. Great as is the personal influence of the member for Hants, the House must not suppose that any individual influence can create so deep and strong a feeling as exists in Nova Scotia on this question, mainly because it is regarded by the great body of the people as calculated to prove highly injurious to their interests. I admit that the feeling is somewhat intensified by the total disregard of the people's wishes manifested by the Government. The Member for Cumberland says his action in advocating Union in the Provinces was never questioned, and if there had been a difference of opinion it would have been tested at the election in 1863. In 1862 the question of Union was considered set at rest under the resolution of this House, which was passed with a special view to that object, and public attention in Nova Scotia was turned away from the question of a Union with Canada to the consideration of a Union of the Maritime Provinces. In proof of this I will give the words of the honourable member for Cumberland himself in moving a resolution of a Union of the Maritime Provinces in 1864. He says, speaking of the Union of all British America;—"Difficulties have been found—I may say insuperable difficulties—in grappling with that which so many of the ablest minds in this country have advocated in connection with this subject. The Union of the Maritime Provinces with Canada has hitherto presented insurmountable obstacles. I had the pleasure during the past year of visiting Canada, and conferring frequently and at considerable length upon the question with public men from all parts of the Province, and gathered

to a large extent views not only of its public men but of its people. I may state to the House that the result of these conversations and of the information which I was enabled to obtain has convinced me that for many years it would be quite impracticable to obtain the larger Union." Again he says, "I am convinced that whilst the financial condition of affairs has been such as it has been for years in Canada, the deficit now between expenditure and revenue being more than a million dollars, these Maritime Provinces would look very doubtfully upon a proposal which was to unite them with a country that is placed in a position of such financial embarrassment." In the same speech, further on, he uses this expression, "The House will see that if such a Union were even in contemplation," and then he makes this declaration, "That public attention has been turned away from the greater or a Union of British North America to a Union of the Maritime Provinces." From these extracts from the honourable member's own speech in 1864, it will be evident that the question of a Union with Canada could not have been a question at the polls in the election shortly preceding that speech, and when a few months later the honourable member assisted in framing the Quebec resolutions, and announced to the people of Nova Scotia his determination to carry them into effect, if possible, without consulting them, it was regarded as a surprise, and apart from the merits of the scheme, excited the strongest indignation. But the member for Cumberland asserts that in all the resolutions passed by the Nova Scotia Legislature at various times, it was not contemplated to have the question decided at the hustings. I am sure, sir, the people of Nova Scotia never for a moment supposed that so great a change would be made in the Constitution of their country, without ascertaining clearly that they desired it. The member for Cumberland denies that Lord Durham proposed to have the question submitted to the people. Let me set that matter at rest by reading to the House his exact words: "The state of the Lower Provinces, though it justifies the proposal of a Union, would not, I think, render it gracious, or even just, on the part of Parliament to carry it into effect without first referring it for the ample deliberation and consent of the people of those Colonies." This report read by the people of Nova Scotia in the light of Earl Grey's dispatch of the 2nd of March, 1847, which declares that differences of public opinion "should be settled at the hustings," gave them an assurance that their wishes would be

ascertained and respected on this question. Is it any wonder then that the people of Nova Scotia feel indignant at the conduct of their Government in forcing them to accept this Union without consulting their wishes, more especially when they see grave objections in the terms of this Union, and serious ground to apprehend that their interests will suffer. In Nova Scotia we have had but little personal intercourse with the people of Canada, but as fellow-colonists, subjects of the same sovereign and living beneath the same flag, we felt an interest in their welfare, but believed that each Province could best promote its individual interests by preserving its own identity. Looking at the Provinces included in this Act of Confederation we find interests so distinct and separate that there will be a tendency to sectional legislation, which too often produces a conflict of interests and a sacrifice of the weaker. You have included an extent of country that cannot be moved by any one interest or influence any more than the agitation of one pool can be made to move the waters of separate and distinct pools. Sometimes you have storm and shipwreck upon your lakes here, whilst we have calm and sunshine down in the Lower Provinces, and so do we feel that you will have political storms and tempests in which the interests of our little Province will be shipwrecked. We also object to Confederation on the ground that it will greatly increase the expense of Legislation and Government to the whole Provinces. Five Governments have been organized to do the work performed hitherto by three. Besides our people felt that the promoters of this scheme had become so excited over the idea of a new nationality—a new Dominion—that they would incur expenditures which would largely increase the burdens of the people. In this respect, so far as we have the evidence, their fears are to be realised. The salary of the Governor-General has been increased about \$19,000. The honourable member for Cumberland asserts that it was necessary to have this increase to secure the best talent of England to work out the new system. How does the honourable member reconcile this assertion with the fact that we have the same man, and are now paying to him fifty thousand dollars, while formerly he received but thirty-one thousand? Does he mean to say that the noble Lord did not hitherto give to the administration of public affairs the full powers of his intellect? Does he wish us to compare him to a machine in which there are wheels and powers never before used—to liken him to an engine that has only been working hitherto at half power,

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and that this increase of salary is to cause the engine to work at its full capacity? Sir, I mistake it you have not had questions arising in the Government of Canada during the past years which required the exercise of the whole powers of mind of those at the head of affairs. The honourable member for St. John would have us infer from his remarks that it is necessary to prevent corruptions, and reminds us that the widow of the late President is accused of having accepted presents as bribes for place and office. If the honourable member looking down the roll of names of the illustrious men who have filled the Presidential chair from the days of George Washington to the present time could find no other case to suit his argument, he might have had gallantry enough to have spared a woman whose lawful husband was so occupied with the momentous events of the time as to prevent him giving that attention to his domestic affairs which we see it required. But turning to the list of distinguished men from Durham to Elgin who have governed these Provinces on the smaller salary, or to the lists of Lieutenant-Governors, including some of the best minds in England, with half that salary, you cannot point to one charged with official corruption. Again, see the expense which the unnecessary creation, as many believe, of so many Heads of Departments, will involve. The honourable member for Lennox spoke of the great sacrifice, which he says, the public men of the Provinces made for Union. Looking along the Treasury benches at the smiling faces of the occupants, one feels that it must be a pleasant sacrifice, a happy and profitable kind of martyrdom, for which I have no doubt there has been a considerable rivalry. There are two of the offices now vacant—two altars without an offering, but we must not suppose it is because statesmen cannot be found for the sacrifice, when it is the country only that bleeds. And let us see to what extent. Turning to your official returns I take a number of the Heads of Departments coming first on the list, and find the average cost to be nearly forty thousand dollars, this multiplied by thirteen will show that in the sacrifice spoken of by the honourable member, the country will be bled to the extent of half a million dollars. The honourable member for Cumberland, however, advises retrenchment, and that the two vacant offices be abolished. He should have spared his friend who held the office of Home Secretary. He would have the House believe that the people of Colchester were unkind to that honourable gentleman in refusing to elect him, but the



member for Cumberland is much more unkind in charging him with accepting and holding so long as possible an office which he thinks the public necessities do not require. Nay, more, the honourable member is unkind to himself, as he came here from Nova Scotia to assist in the formation of the Cabinet, and aided in creating these two offices. But the people of Nova Scotia believe that while an increased expenditure will be made in the general administration, that it will bear especially hard upon them under the lowest tariff of the Confederated Provinces. We raised a larger revenue per head of the population than any of the others, and we see that when our tariff is made equal to the others, we shall be taxed out of all proportion for the maintenance of the General Government. Taking the importations of Nova Scotia for a year, and applying to them the tariff of Canada, we found it gave an increase of about fifty per cent. or \$633,000, for which the people see no just return. Not only was it evident that there would be this increase of taxation for general purposes, but the allowance for local purposes fell short of what the people had all along been accustomed to. Our revenue, even with the low tariff was sufficient to provide for the necessary Public Works, and maintain all those local services of the country which here are provided for by the counties, and in consequence our direct taxation was a mere trifle. Last year our Legislature gave for the maintenance of roads and bridges nearly double the sum that you here in this great country were able to provide, but under this arrangement our local expenditure will have to be reduced from two dollars a head to about one dollar twelve cents. Our grants for roads and for education last year, were within two thousand dollars of what our whole local revenue would have been under Confederation. To these and other points, on which we feel the injustice of the terms to which we are compelled, at least for a time, to submit, may be attributed the result of the election in Nova Scotia. The honourable member for Cumberland tells the House that there are advantages which Nova Scotia will reap in this Confederation; I have only to say that he entirely failed to convince the people of Nova Scotia of any real and substantial benefits. He speaks of the development of our mining, and the promotion of our commercial interests. Turning to the official returns from our mines, we find the argument against him. In 1863 we raised 429,351 tons of coal, and in 1865, 651,220 tons, an increase of 221,869 tons, and in that year, 1865, only sent to Canada 21,000 tons, and the

trade in coal as free, as it can be under Confederation; in the first year of which there has been a falling off of 300,000 tons. I do not, however, mean to attribute this to Confederation, I only wish to show that the development of our coal interest is affected by influences entirely outside of Canada. And then how is Confederation to benefit our commercial interests? How is it to promote our greatest interest, our shipping? It has been stated in this debate that proportionate to our population we are the greatest ship-owning people on the globe; but does this country tend very largely to furnish them employment? We have probably more ships in the Port of Calcutta, in any day of the year, than we have in all the ports of Canada. We do not deny to your people a fair share of commercial energy and enterprise, but it has its own peculiar channels, and is occupied about the interests found within the country; interests which differ materially from ours, and when the proposition is made to place our commercial interests under your control, for the purpose, as the honourable member says, of developing it, an idea of the ridiculous presents itself to the mind such as one feels in seeing a hen appointed stepmother to a flock of ducks. The natural instincts of the one are inland, that of the others out upon the waters. True, you have abundances of waters for the transit of the products of your country, and could you only exchange your magnificent lakes, your great rolling rivers and lay like Nova Scotia in the warm embrace of the great Atlantic; could you feel all through the year the ceaseless throb of the mighty ocean quickening and strengthening in all your arteries, the pulsations of trade and commerce, then might we believe that an alliance with you would tend to stimulate and foster our commercial interests. But five months out of twelve your rivers and lakes are frozen and impassable, while Nova Scotia has ever round about her, is ever clasped in the arms of the sea, and, therefore, if she is to have a nursing mother for her trade and commerce it must be "a Kingdom down by the sea,"

—the open and the free,  
The ever, ever sounding sea.

Free trade among the Provinces has been spoken of as one of the advantages to follow Confederation. If it were desirable to have the free trade enlarged it could have been easily arranged by the several Governments. The honourable member for Cumberland has reminded the House that we are to receive great benefits from the Intercolonial Railway.

I admit, sir, that we do anticipate advantages from the building of at least a portion of this road, and in all the negotiations respecting its construction, we in Nova Scotia, have always been willing to contribute our fair share. Taking the work as originally contemplated and as now proposed in the Act of Union to connect the St. Lawrence with the City of Halifax, it will be seen that we have already built sixty miles, which is more than our share, and not only have we built sixty miles, but we had actually contracted for the building of about twenty miles more than our share of the balance from Truro to Riviere du Loup. So that, if you here in Canada, desired the Intercolonial Railway, either for your own or general purposes, all that was required of you was to build your share according to population. That the road has not been built is your fault, not ours. But, Mr. Speaker, this railway has been a powerful argument with the Union Candidates of Cumberland and Colchester. Surveyors and engineers were continually moving about the various villages on the pretence of seeking the best location, and almost every man had the promise of the road at his door. I do not, however, detain the House with the recital of the various influences used by our opponents to carry the election. That they all failed should prove conclusively by that the people of Nova Scotia have a deep feeling of aversion to Confederation. So deep and strong is this feeling, that they are determined to seek by all constitutional means to be relieved from its operation. They do not expect it from this Parliament, and therefore, we have not presented our case in the manner we should, had we hoped for redress here. Our hopes are on the other side of the water. It may be, that we shall be disappointed. If so, I shall not venture to speculate the effect upon the minds of the people. One thing, however, is certain, that in case of failure very much will depend upon the line of policy pursued by the Confederate Government towards the people of Nova Scotia, whether their feelings of hostility shall be strengthened and intensified, or calmed into passive submission. Our loyalty has been spoken of in this debate, and no man now seems to question it, although during the canvass, we were on all occasions charged with disloyalty, because we did not quietly submit to what we believe to be a sacrifice of our interests and rights. Even the honourable member for Cumberland, in the speech just delivered, withdraws the charge, but reasserts that we had the sympathy and support of all who seek the overthrow of

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British institutions. We do not know upon what authority the honourable gentleman speaks. When I saw the statement reported in his first address to this House, it occurred to me that probably the honourable member spoke from a personal knowledge, and a more intimate acquaintance with the sympathies of that class of persons to whom he refers than any Anti-Confederate cares to cultivate. No, Mr. Speaker, it is not in a spirit of disloyalty that we seek to relieve Nova Scotia from the operations of this Act, but because we believe that the interests of our Province will be best served by allowing her to manage her own affairs and control her own revenues. So long as our connection with the Mother Country exists, and God grant that it may long continue, we see no necessity for a connection such as this, which must inevitably result in a conflict of interests. Our people desire to live in peace with you, and to cultivate only those feelings of friendship which should exist between Provinces of the same Empire. We have a Province, small it may be, but with resources which if properly developed, as they only can be by having control of our own means, would soon place us in a position which it should be your pride to see a sister Province occupy. You, too, have a country containing many of the elements of prosperity and greatness, which only requires wise management and an economical disposal of your means to attain. We who come up from the Lower Provinces, cannot but be surprised at the extent of your country, and the progress you have made. You have public works highly creditable to you. I do not so much mean these expensive buildings in which we are assembled, as those more useful works which tend to facilitate internal communication and traffic. That wonderful bridge stretching across the St. Lawrence at Montreal is a work of which any country might well be proud. The eye never wearies with it, but the mind finds it difficult to realize that it is the result of human skill and enterprise. I remember on first passing beneath it that I felt almost like bowing, the head uncovered, as if in the presence of something so grand and sublime that the finger of God himself must have touched and formed it. What we desire is to be unfettered and free, to develop our own resources, and at the same time to see you building up a country worthy of the noble foundations which have been laid. We do not want to see in you the cold statue, void of blood described by the honourable member for Saint John, nor yet a ghastly skeleton, but a brother with the bounding

blood of vigorous growing life. One who will return our kindest greeting and never forget the command that a man shall not marry his sister, not do her violence.

**Mr. Young** went on to refer to the statement of the Minister of Public Works, that the \$15,000,000 for the Intercolonial Railway would be used to strengthen the position of the Ministry, and to the strong bids for support made by the Premier of Ontario at Hamilton, and elsewhere. Mr. Young referred also to the cry of disloyalty which had been raised against the opposition in order to influence the elections, and expressed his astonishment—nay, disgust, that the individual who harped most upon this cry, was no other than the gentleman who only a few short years ago, was daily attacked by Conservative members, and by the whole Conservative press for his Washington proclivities. By such means as these that Government had carried the elections in Ontario; but he believed the detailed returns of the elections would show that, though Ministers had got a majority of the representatives, the gentlemen on his side represented a majority still of the people of the Province. Referring to the promise of a measure relating to the currency, Mr. Young brought under review the results of the Banking Act of last session. They had been asked by gentlemen opposite to point out how that Act had operated injuriously with reference to the Commercial Bank. He would endeavour to show one way in which it had done so. Formerly, the balances between different Banks had been adjusted at certain central points. At those points alone it was necessary to keep specie for that purpose; but when the Bank of Montreal obtained the power given them by that Act, they introduced a change, and made it necessary for the other Banks to settle their balances at all the species through the country. The consequence was that the Commercial Bank had to send large amounts of specie to its different offices to meet these balances, creating a weakness which, he believed, had much to do with the overthrow of that institution. Mr. Young then urged the importance of the economical administration of public affairs in working out our new constitution, and wound up with a glowing picture of the future destiny of this Confederation, if its course was directed by wise counsels and a patriotic policy.

**Mr. Fortier** spoke on the importance of the Gulf of St. Lawrence, of improvements, to attract western and colonial commerce, and

of the protection to be given to the fisheries. Answering Mr. Howe, Mr. Fortier said that Nova Canadian fishermen never went to Nova Scotia waters, and there were more Nova Scotian than Canadian fishermen in Canada waters, and consequently Nova Scotia did not lose her fisheries by Confederation.

**Mr. Harrison** said—Mr. Speaker, in rising to address this House, I must claim the indulgence usually granted to new members. When the debate on the Address was commenced I had no intention whatever of addressing the House, but seeing the favour with which the remarks of new members have been received, I feel encouraged to make some remarks. The assembly now before me is the most important that I have ever addressed. I see before me the first talent of Nova Scotia, New Brunswick, Quebec and Ontario, assembled from all parts of our great Dominion. We are here not as Nova Scotians, New Brunswickers, but as representatives of the whole Dominion of Canada, and as such must rise to the importance of the character we bear. This assembly is the most important ever held in any part of British America. In its hands it holds the destinies of half a continent. I observe on the opposite side of the House a desire at once to draw strict party lines on the floor of the House. I am not here to undervalue the worth of party. But Reform, as a principle, is not the exclusive property of Reformers, any more than conservatism is the exclusive property of Conservatives. (Hear, hear.) History proves that at times Reformers have been more Conservative than Conservatives, and Conservatives more Reform than Reformers. We have now an instance in Nova Scotia. It is asserted by the honourable member for Cumberland, and has not been denied, that the Union Party, or party of progress, in that Province, are the Conservatives, led by himself, and the opposing or non-progressive party, the so-called Liberals, led by the member for Hants. (Hear, hear.) The formation of parties in this House must depend upon measures and not upon personal predilections. For the present we have placed the interests of our common country above the claims of party. The Act of Confederation was gained by the united exertions of Conservatives and Reformers, but all must feel that the Union is not perfected until we have uniformity of the laws regulating trade, navigation, customs, excise, postage and Militia defence. When the Government was formed it appeared to me entitled to a fair trial before condemnation, because composed of the best men of all political parties in all the Prov-

inces—the men who by their energy, talent and sacrifices had brought us as far as we have gone in the path of national manhood. (Hear, hear.) But others were in Ontario of a different opinion. There was in the first instance strong opposition to the Government. There was the opposition of those who said down with the Government, because it is a Coalition, and every Coalition is a curse. But this cry was devoid of sense or reason. I would like to know how all the great questions that have agitated Canada to its very core have been settled except by Coalitions. (Hear, hear.) It was a Coalition that settled the Clergy Reserves Question. It was a Coalition that settled the Seigniorial Question. It was a Coalition that brought about the Act of Confederation, and the present Coalition Government in order that it may have a chance of perfecting the details of this measure, has been thoroughly sustained in the Province of Ontario. The Coalition party has swept everything before them in that Province at the polls. But let us rise superior to sectional disputes or local politics. We have now a Union of the Provinces of Ontario, Quebec, Nova Scotia and New Brunswick. This Union is not a thought of yesterday. It is the realization of the aspirations of the leading men of each of the Provinces for the last half century. In each there was a growth of public opinion in favour of it, and all converged at the right time in the great measure now the law of the land. The member for Hants says he again and again killed it off in his own Province, but still it appears to have grown. It appears to have had many lives, for the more it was killed the longer and stronger it grew (laughter.) But I was amused at the way in which that honourable gentleman killed it off. He killed it off by speaking in favour of it (laughter.) This showed the growth of public sentiment which he could not resist, and was obliged to lead (hear.) We have nothing to do with the inconsistencies of that honourable gentleman, except as affecting his sincerity on the floor of this House. I agree with him, that even if he were inconsistent, that is no reason why the people of this Province should be deprived of their rights in an improper manner. And my regret is that that honourable gentleman has descended from his high position as one of the leading statesmen of the Dominion, to fight the battle of mere sectionalism on the floor of this House. But what have we to do with the manner in which Confederation was carried as regards Nova Scotia? With us Confederation is a fixed fact. The question is not whether the member for Hants was consist-

ent or inconsistent; not whether the mode adopted towards Nova Scotia was the best mode; and whether the Union is not an advantage to the whole Dominion, including Nova Scotia as an integral part of it. If so, it is a subject of congratulation; if not, the reverse. I affirm that it is a subject of congratulation, and hope that all present will lend a willing assistance in order to make it perfect. I affirm that it is a subject of congratulation, because by it several small Colonies are made a great and powerful people. (Hear, hear.) Strength is power, and wealth is power, and where we have a discreet people, with strength and wealth, we have a great people. Let us take stock of our new partnership. Let us see how we stand at the start of our new commercial and political career. We have a country whose area is 377,045 square miles, with one exception larger than any of the States of Europe. Mere area perhaps, without population is a source of weakness. But we have a population of about 4,000,000—a population greater than that of 38 out of the 48 states of Europe—and greater than that of the United States of America when they first became an independent power. Canada before Confederation had not more than 534,575 men between the ages of 20 and 60, but since Confederation we have not less than 653,567 fighting men. We have added not less than 1,000,000 of consumers to our whole population, and not less than 100,000 fighting men to our military strength. Besides we have acquired great strength on the sea, where we were in most need of strength. Before the Union we had only 5,958 sailors, and most of these on our inland waters. Now we can boast of 28,360 sailors, and when we shall have Newfoundland as a member of our national partnership we shall have no less than 66,938 sailors, and so become one of the great maritime powers of the world. Before the Union our shipping was represented by a tonnage of 287,187 tons, but now we can boast of 708,421 tons, nearly as much as that of France with a population of 35,000,000. (Minister of Justice—our tonnage is as large as that of France.) Mr. Harrison—if we could now count Newfoundland and Prince Edward Island as parts of our Dominion, I believe it would be as large, but without those Provinces I think our tonnage is a little less than that of France.) A great impetus must be given to shipbuilding, a most important branch of native industry. The number of ships built in Canada, Nova Scotia and New Brunswick in 1863, represented 199,821 tons—nearly as much as the shipbuilding interest of the whole United

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States of America before the war broke out. The shipbuilding of the United States in the year 1861 was 233,193 tons. Now our tonnage of say 200,000 tons represents an export value of not less than \$8,000,000. (Hear, hear.) The tonnage of Canada in and out before the Union was only 2,133,000 tons, and this was chiefly in our inland lakes, but now we have an increased tonnage on the seas in and out of 5,597,236 tons, making not less than 7,730,236 tons on inland waters and the sea. This reminds me of that great mine of wealth, the products of the sea. Before Confederation, taking the year 1866 as our guide, the value of the fish caught in Canada was not more than \$1,918,000. But during the same year, the produce of the Fisheries of Nova Scotia was \$3,478,000, and of New Brunswick \$867,000, making a total of \$6,263,000; if to this we could add Newfoundland and Prince Edward Island, we should have not less than \$10,837,000 as the value of our Fisheries, (hear, hear.) This, however, though enormous, only represents a small portion of our trade and industry. Before Confederation our export trade was \$11,841,000, and our imports \$45,964,000. But adding the export and import trade of Nova Scotia and New Brunswick, we have an aggregate export and import trade of not less than \$133,185,687. This immense trade will, we hope, come and go through the ports of Saint John and Halifax, and cannot fail to enrich every city through which it passes, and make those cities the New York and Boston of our new Dominion (hear, hear.) Indeed, I cannot understand why the people of Halifax oppose Confederation. If they were out of the Union the vast trade to which I have referred would be diverted exclusively to Saint John, and build up that city at the expense of Halifax. The policy which would ignore that trade is not a good policy. It is said that the banking and mercantile interests of Halifax control Nova Scotia, and that last election they swept the Union party out of existence. How is this? Is it possible that their interests dread opposition? (Hear, hear.) Is it possible that the bankers and merchants of Halifax are prepared to sacrifice the interests of their Province for their own selfish ends? (Hear, hear.) They have done well and want to let well enough alone. They have made money and don't care to allow others to have a chance. They dread opposition. They are satisfied to remain as they are, rather than encounter the opposition and the expansion which this great scheme must necessarily produce. (Hear, hear.) But the world cannot stand still in order that the merchants and

bankers of Halifax may remain rich. They cannot and they will not long resist the destiny of our Confederation. The people of that Province must ere long have their eyes opened, and burst the bonds with which they are enslaved by the selfish Halifax interests. (Hear, hear.) I believe firmly that if there is one Province to gain more than another by Confederation, it is Nova Scotia, and if one city more than another, it is Halifax. (Hear, hear.) It, with Saint John, will hold the key of our immense western trade, which year by year must increase and enrich the cities of the Maritime Provinces. (Hear, hear.) In return we hope to avail ourselves extensively, not only of the fisheries, but of the coal of the Maritime Provinces. Our western vessels, that will carry down our breadstuffs, will have return cargoes of coal and fish, and this must reduce freights and so establish a trade that will be a source of profit alike to all parts of the Dominion. We are not, however, dependent on fisheries, coal or manufacturing for our support. It is true that we have the attraction of the fisheries and coal of the Maritime Provinces, and the timber trade and great manufacturing interests of the Province of Quebec. But we have more, we have an immense agricultural interest, especially in the West. There are 44,217,552 acres of land in the hands of private parties, and therefore I assume in great part fit for cultivation. Of this there are not more than 12,718,754 acres under cultivation, leaving 31,498,798 fit for cultivation, yet to be cultivated. Besides, we have the boundless territory of the Northwest, capable of supporting millions yet unborn. Now, if with 12,000,000 acres of land under cultivation, we have a population of 4,000,000, we shall not have less than a population of 10,000,000 with 30,000,000 acres under cultivation, and this population will be in the time of many now on the floor of this House. (Hear, hear.) I ask Mr. Speaker if the contemplation of these facts and of this future, should not of itself raise us far above local politics or sectional jealousies. Let us endeavour to become a great nation, and we shall be a great nation. Let us endeavour to encourage a national sentiment, and learn to feel our own importance and our own greatness among the great nations of the earth. (Hear, hear.) There are advantages arising out of the Union to which as yet I have made no reference. I cannot overlook the effect of an extended market for our produce—the breaking down of hostile tariffs, of hostile interests. Had the United States remained as at one time they were, colonies independent of each other, walled against

each other with different tariffs and hostile interests in relation to trade, they never could have become the people they are now. But there are advantages for us as well abroad as at home. Our Canadian five per cents at one time stood as low as 71 in the London market. When the resolutions in favour of Confederation were first published in the London press our securities rose from 71 to 92, and on the day that the Confederation Bill became law they rose to par. (Hear, hear.) Now what are the objections urged by our friends from Nova Scotia against Confederation? They tell us that we have taken their revenue, and pay them back only 80 cents per head of their population. But this is not the whole truth. If we have taken a portion of their revenues we have assumed their debt to the extent of \$25 per head, and have assumed to a certain extent the responsibility of their defence. They complain of our debt and fear taxation. It is true that our debt at the time of the Union was \$67,263,995, and assuming as we do the debts of Nova Scotia and New Brunswick, we have a debt of \$77,825,533, but this debt represents value in great national public works, our railways, canals, and shipping. It has been incurred to assist us in the development of our natural resources. The effect of the expenditure has been in all the Provinces to increase the value of real estate far more than the expenditure itself. It has brought the producer and the consumer more nearly face to face, and so lessened the price of transport; it has not been incurred as in many of the older countries of Europe, for the support of an expensive aristocracy or court. It represents material value. And even with this great advantage in our favour, as compared with the older States of Europe, our taxation is less than in 42 out of the 48 of the European States. (Hear, hear.) The member for Hants tells us that our long frontier is a great source of weakness. Granted; but is it only a source of weakness to us? Is it not as much a source of weakness to our neighbours? If our cities are exposed to their attack, their cities are exposed to our attack. And when our population in the war of 1812 was not one-twentieth of that of the United States, we were not content to be merely defensive. (Hear, hear.) What we did then we can do again, if necessary. What man did, that man can do. But the large debt of the United States is a hostage to us for peace, and I believe there never was less danger of war with the United States than at the present time, (hear, hear.) But says the member for Hants, you have no army, no navy—you

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are powerless. My reply is that we have the finest army and navy in the world—the army and navy of England. The English army is our army. The English navy is our navy, and war with us is war with England, (hear, hear.) The power of the British Empire is at our back, and the moral defence which that affords defies computation. With increased advantages no doubt we shall have increased responsibilities, but we shall never unless at our own request be deserted by England, (applause.) Have we not reason to look hopefully to our future? Why should we not become a great and powerful nation? We have a country, with one exception larger than any in Europe; we have a population greater than 38 out of the 48 States of Europe; we have a population larger than the United States at the time they became an independent power; we have every variety for nation industry, agriculture, manufactures and commerce; we have unbounded natural resources; we have an export and import trade one-third greater than the United States when they became an independent power; we are even now the fourth, if not the third, Maritime Power of the world; we have a hardy, honest and enterprising population; we have room for millions added to our population; we have great national public works; we have every means of expansion and extension; we have as great facilities for progress as the United States had in their infancy as a Nation, indeed we have greater facilities, for we start in peace, they started in war, we with our mother's blessing, they without it, and in addition to all we have what they had not, the modern appliances of steam and electricity—the great motive powers of civilization. If we rise to the dignity of our position, remain true to ourselves, encourage national manhood, foster national sentiment, and exert ourselves in the future as we have done in the past, we shall make as much progress in the first five years of our existence as the United States did in the first ten of theirs, and gain among the nations of the earth which will be a pride to ourselves, and I trust the admiration of the civilized world. (Great applause.)

Mr. Parker thought it better if this house were to follow the example of the English House of Commons and pass the Address without such a lengthy debate as had occurred on this occasion, and proceeded to speak of the benefits of Confederation, but at the expiration of a few moments becoming

confused he apologized to the House saying he found his thoughts not under his control, and would beg permission to continue on some other occasion.

**Mr. Hayley** expressed his full approbation of Confederation and the resolutions, and hoped the Colonial Union will bring prosperity, union and harmony between all creeds and nationalities.

**Mr. M. C. Cameron**, would make a few observations. His honourable friend from Hants did not present the appearance he had been led to expect from the description of the Minister of Public Works. From that description he expected to see horns and a tail. He had listened to the member for Hants with pleasure, and felt that Nova Scotia had cause of complaint, and when he had heard the leader of the Government supporters from Nova Scotia (Dr. Tupper) he was convinced that Nova Scotia had a grievance. He argued that any constitution to gain any hold upon the heart of the people must have the assent of the people at the polls. He thought that appeal was not necessary in Ontario when Confederation had few opponents, and where side issues would have taken the place of that great question. But ungenerous as the conduct of the Government had been, he appealed to his friends from Nova Scotia to ask themselves whether it would not be better to accept the Union and join those who would endeavour to do them justice in the future. He attacked the financial policy of the Government, saying that when the Ministry brought down their financial measures if justice were not done the honourable member for Hants would have another name to his demand for repeal. He next proceeded to advert to the influences arrayed against him at his election by the Government and Grand Trunk Railway, and replied to some points in the speech of the member for West Toronto, particularly to his claim that the country was indebted to the Conservatives for Clergy Reserves and Seigniorial measures, and Representation by Population. In putting in such a claim he thought the honourable member for Toronto showed that he had not paid that attention to the policies of the country which might have been expected of a man of his large attainments. The two measures first named had long been battled for by Reformers, and were only conceded at last by the Conservatives along with the white-washing of the Hincks' ministry as the price of office. As regarded Representation by Population, it had been long and strenuously related by the Minister of Justice and his friends,

and in the end had been only extorted from them by the force of public opinion.

**Mr. E. M. McDonald** said Mr. Speaker, an honourable gentleman in the course of debate to-day, told us that the House had listened with great forbearance to the complaints and the history of the local strifes of Nova Scotia. On behalf of that Province I thank this House for the patience it has exhibited; but at the same time I cannot accept the position of inferiority implied in the remark. The patronizing idea which intimates that the representatives of the Provinces of Quebec and Ontario exhibit a gracious condescension in consenting to listen to this debate, can be very well dispensed with. The position of Nova Scotia in the Dominion is not that of an inferior; and her representatives in this House demand for her the same consideration that is claimed by the more populous Canadian Provinces. And, sir, it was a mistake to speak of the topics treated of in this debate as mere local grievances—a history of local electioneering strife. The subject has an importance far beyond mere party considerations, or sectional interests. The story of Nova Scotia's wrongs, of her lost liberties, and the compulsion under which she was forced into the Union, is one affecting not Nova Scotia alone, but affecting also the honour and interests of the whole Dominion, and of the British Empire; and therefore, it becomes the duty of this House, not as a matter of condescension or courtesy, but as a matter of right and justice, to listen to the protest of Nova Scotia through her representatives here, that her present position may be understood, and her future policy and determination prepared for. I regret, sir, that the Government should have thought it necessary to ask the House to adopt an Address to His Excellency the Governor-General, couched in language which is little short of an insult to the Province, one of whose counties I have the honour to represent. Sir, the representatives of Nova Scotia must be excused if they decline to join in congratulating His Excellency on the success of the Confederation scheme. Congratulations and rejoicings are for the victors and not for the vanquished. Canada may rejoice at the success of her strategy; but it is too much to expect of Nova Scotia that she will rejoice at the loss of her political institutions and her political liberties. When the gallant Lee, surrounded and overpowered by superior numbers, and deprived of all hope of being able to successfully prolong the struggle, at last surrendered to

the victorious legions of Grant, the victors indulged, as was natural, in national demonstrations of rejoicing at the event; but they did not insult the brave old general and his shattered battalions by compelling them to join in any jubilant expressions of gladness over the discomfiture of their hopes and the downfall of their country. (Hear, hear.) Nova Scotia is in this Dominion as a conquered country, deprived by most foul and unfair means of her long enjoyed privilege of self-government; and the men whom her people have sent to represent them in this House, to protest against the injustice and wrong that has been done her, to claim for her equal rights with the other Provinces while in the Dominion, and a speedy release from bondage, have not yet learned to kiss their fetters and smile at their country's dishonour. The honourable member who last addressed you, in common with all the representatives from Ontario and Quebec who have taken part in the debate, assumed that Nova Scotia's complaint was only against the mode in which Confederation was carried, and not against the thing itself. Let me disabuse the minds of honourable gentlemen in the House of that fallacy. Nova Scotia's hostility to the measure lies deeper than any mere punctilious views of political etiquette as to the mode of its accomplishment. True, her people do complain, and justly, of the trickery and corruption by which Confederation was carried; but their main ground of complaint is against the thing itself, which they believe, even if it had been brought about by fair and constitutional means, must always prove injurious to the chief industrial interests of their Province. When the outlines of the scheme were first made public after the Quebec Conference, the people of Nova Scotia instinctively shrank from it as a dangerous thing. They felt that for a people situated as they were, living by the seashore, and largely interested in maritime pursuits, to surrender their self-government, and unite with an inland country of larger population, with diverse interests, and with different, and it may be a hostile commercial policy, was a very unwise experiment. For over eighty years they had had a Legislature of their own, under whose fostering care they were rapidly acquiring a large degree of material prosperity. Under the wise and liberal legislation of their own Parliament, not only were the local trade of the country, its fisheries and other home industries promoted, but the largest facilities were given for the development of the shipbuilding capabilities of the Province, and a com-

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mercial navy was created, which gave to Nova Scotia a large share of the foreign carrying trade, and placed her in the proud position of being, in proportion to population, the foremost maritime country on the face of the globe. Sir, Nova Scotia might well be proud of her ships, and her sailors, for in every sea, in every harbour, in all the great commercial centres of the world, wherever the free trading system of the mother country has carried the British flag, there could be found a Nova Scotia ship and a Nova Scotia crew, bearing abroad the name and fame of their country, successfully competing in foreign marts with the most favoured and powerful maritime rivals, and winning wealth and renown to enrich and elevate their native land. The people of that Province felt, sir, that to change the system that had produced these grand results, to enter into any new political connections that would deprive them of the control of their own commercial system—to surrender into the hands of an inland people with whom they had hitherto had but few interests in common, the power to control their commercial system, to say under what tariff they should trade, with what countries they should buy and sell, was an exceedingly hazardous step, and one that could scarcely result otherwise than disastrously to the country that made the experiment. While entertaining these views, however, the people felt no dread of such a measure being thrust upon them. True, they saw the leaders of the two great political parties in that Province, with a most sudden and suspicious forgetfulness of past antipathies, combine for its accomplishment, but they knew that the honest convictions of the large majority of their representatives were hostile to the measure, and they rested confident and trustful behind the double line of defences they thought they possessed in their own legislature, and in the British Parliament, neither of which, they felt convinced, would ever consent to make such a sweeping change, a change that was in effect no less than a total subversion of the political institutions of the country, without the consent of the people. But they did not content themselves merely with this passive confidence in their members; they took the proper and constitutional mode of bringing their views before the legislature of the Province, and from every county petitions with thousands of signatures were poured into both Houses, asking that a measure involving such radical changes, and calculated to affect so seriously the interests of the country should not be passed without the



consent of the people. A very brief glance at a few salient features of the policy pursued with respect to the question from that time down to the date of its final accomplishment, will show how much reason Nova Scotians have to complain of the trickery, corruption and coercion by which the autonomy of their Province was destroyed, and their political status changed. In the session of 1865, the honourable member from Cumberland, then Provincial Secretary, and leader of the Government of Nova Scotia, stated in his place in the House, that Confederation was at that time impracticable, and would not be attempted. Lulled into a false security by this statement, and by the favourable reception accorded to their petitions, the people assumed that the movement, as far as that Province was concerned, was practically at an end, and made no further effort to preserve the constitution from encroachment. But by-and-by a change came. A second election was held in New Brunswick. It is not my place to enter into particulars as to the secret and extraordinary influence by which the dissolution of the New Brunswick House was accomplished. Enough to say it was accomplished; and by means that even the widest range of courtesy will scarcely enable us to suppose were as honourable as they were successful, a majority in favour of Confederation was secured at the polls in that Province. Then commenced in Nova Scotia the system of petty intrigues that at last culminated in the corruption of the legislature and the passing of a resolution in the House of Assembly, authorizing a new convention to assemble in London. All sorts of influences, fair and unfair, were used to induce members of the House to abandon their principles, and violate the instructions they had received from their constituents. Even the Lieutenant-Governor of the Province forgot his dignity and dishonoured his position by playing the part of a petty canvasser. All those official and social influences within the control of his high station, were freely used, and he did not hesitate even to misuse the name of the sovereign whom he represented, to influence those whose principles he sought to subvert. Senatorships and seats in the Legislative Council of the Province, were among the prices paid to some of the pure minded patriots, whose sudden conversion was so fatal to the liberties of their country. Thus by the treachery of the Executive, that first lulled the people into a false sense of security in order that their representatives might be more easily seduced, was the first

barrier on which the people depended for the safety of their constitution, broken down. Even then, the country although alarmed was not disheartened. It was believed that any measure framed by the Convention would have to be approved, not only by the British Parliament, but also by the Provincial Legislature, when the people would still have an opportunity to be heard, and could cause their influence to be felt. The mother country having conceded to Nova Scotia the right of self-government—having given that Province a Legislature, clothed with power to make all the laws necessary for the management of its affairs, no one could believe that the Parliament of Great Britain would supercede the functions and override the authority of that Colonial Legislature, or that the Home Government, forgetting the traditions, the very first principles of political freedom and constitutional rights, should compel the people of the Province to be governed by a law which their own Legislature had never enacted, for which they had never asked, and against which they had protested in the strongest terms. Relying confidently on the manliness and love of fair play supposed to be inherent in the race of British statesmen, the people of Nova Scotia confidently appealed by petition to the Parliament at Westminster, asking to be permitted to decide for themselves, this question so deeply affecting their present and future welfare. In this last hope they were disappointed—this last and strongest barrier for the defence of their rights was broken down by the action of foes within and without—the pleading prayers of a suppliant people were spurned aside, even from the very altar of the temple of liberty, and British subjects in Nova Scotia were denied the rights which the highest tribunal on earth would not dare to deny to the British subject in England. I do not, Mr. Speaker, deny the power of Parliament, to dispose of this question in the manner adopted. But even admitting the correctness of the theory which says there is no limit to the power of Parliament, I deny the right of the Legislature to destroy the Constitution under which it exists without the popular consent or contrary to the popular will. Admitting the power, was it right, or was it decent even for a people, trained for over half a century to cherish their political institutions, thus by an arbitrary exercise of that power, and for no fault of which they were guilty, by one fell stroke to be swung out of their Constitutional orbit, and thrown into a new system and amidst new alliances, where distrusts, and

suspensions, and heartburnings, springing out of a sense of injustice and wrong, must long prevent the harmonious working of the new state of things, if it does not cause it speedily to end in disruption and disaster. But Mr. Speaker, the House has been told, I think, by the honourable member from West Toronto, that Nova Scotia has no right to bring this story of her admitted grievances here, because in all this, it is assumed that she can have no complaint against Canada. The wrongs she has suffered, we are told, were wrongs inflicted by her own people or by the Parliament of England, and that Canada is not to blame for them, and ought not to be bored with their rehearsal in this place. Sir, I cannot consent to allow this view of the case to be accepted by the House without contradiction. I hold, sir, that for all this story of wrong and oppression the statesmen of Canada are chiefly, if not wholly to blame; for who that knows the circumstances, but must admit that but for the patronage of the Dominion about to be established, that was placed by the statesmen of Canada at the disposal of their co-workers in Nova Scotia, the Confederation scheme never could have been carried in that Province. Sir, there are at this moment occupying seats in the Senate of the Dominion, three gentlemen, formerly members of the House of Assembly of Nova Scotia, whose sudden conversion and subsequent promotion to that post of honour, justifies the strongest suspicion as to the means used to procure their change of opinion. Another gentleman, who formerly was a member of the Legislative Council of Nova Scotia, and apparently an earnest Anti-Confederate, also suddenly changed his base and gave in his adhesion to the cause he formerly opposed, and to-day he not only is a member of the Senate, but he also holds a departmental place in the Privy Council with large endowments. Now, I do not say that these individuals were all bought like so many sheep in the shambles; or that they sold their votes for places and distinctions that ought to belong to honourable men. It would be wrong to say this, because that might be a breach of Parliamentary privilege. But I do say, that from being apparently earnest Anti-Confederates, they, without the occurrence of any new phase of the political position to warrant the change, suddenly became the zealous promoters of that scheme. It would be wrong to say that these individuals, who are "all honourable men," were bribed like so many venal voters at a hustings booth; I only say, that the cause of

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Confederation got their votes and they got the Senatorships; and the members of this House, learning these facts, can draw their own inferences. It may be, Mr. Speaker, that in all this these parties were actuated by a spirit of the purest patriotism; but the House will at least perceive, that it is a patriotism that pays remarkably well. So much for Canadian influence in the Nova Scotian Legislature. And for what took place at the other side of the water, the complaint of Nova Scotia's people does not lie against her own politicians and the British Government, solely; for the Government and Parliament of England never would have acted so precipitately as they did, had not three Colonial Cabinets conspired, by misrepresentations, to trick and deceive them; and only one of the three was the Cabinet of Nova Scotia. Is it to be wondered at, Mr. Speaker, after this brief review of a few of the facts, that the people of Nova Scotia should feel indignant at the manner in which they have been treated, and that they should be determined to punish at the hustings, these men among themselves who so deeply wronged and insulted them. The honourable member from Lambton has hinted that it is in vain for us to enter on the discussion of this question now, because the Act of which we complain is a thing of the past and cannot be recalled; and that this being the case, we should rather set ourselves to the consideration of the new duties, that the new condition of things impose on us. The same argument was used in Nova Scotia previous to the elections, by Confederates who tried to persuade the people, that as the Act was completed and past recall, there was no object but revenge to be gained by voting against the men who enacted it. What would be thought of a homicide in the criminal's dock, pleading in mitigation of punishment that the life of his victim was past recall, and that it would be only gratifying an unchristian spirit of revenge to punish him for his crime. Fancy such an one addressing the judge, and saying: "May it please your lordship, it is true, I committed this offence against the laws of God and man, but the life I destroyed is now a thing of the past, and cannot be recalled; you may punish me, but that cannot reanimate again with life the mouldering clay, or bring back to the circle of friendship and duty that cold clod that yesterday was my fellow creature." Sir, it may be only too true that the political independence, the political life, of Nova Scotia, is a thing of the past; but even if this were so, the first duty of every Nova Scotian

should be to see that the demands of justice were satisfied by the punishment of the men who laid ruthless hands upon the life of their country's constitution. This duty has been discharged, although not perhaps to the extent that the complete vindication of our country's honour required; and now the representatives of Nova Scotia here, and her representatives in the local Parliament as well, have to set themselves to the consideration of the next duty that devolves upon them. I have said, Mr. Speaker, that Nova Scotia's hostility to Confederation, was caused not merely from dislike of the way in which it was carried, but from a deep seated conviction that the thing itself is dangerous and wrong. The honourable member from Cumberland tells you a different story, and would have the House believe, in spite of the record of the elections, that there is a strong Union feeling in Nova Scotia. If he believes that a majority of the people of that Province are for Union, he must at least admit that they took a somewhat singular mode of expressing their opinions. He professes to believe this, however, and attributes the fact of the people voting against it, to any other cause rather than that of hostility to the measure. The influence of Halifax and Halifax merchants, he says, was so powerful, as to sway public opinion throughout most of the constituencies; and yet he boasted to the House five minutes afterwards that the Confederates polled a large majority of votes in the city of Halifax. The honourable gentleman should try to be consistent in his inventions. But the influence of the bankers, he tells us, was against him. If this were so, no stronger proof of their disinterestedness could be given. The laws of Nova Scotia prevented these gentlemen from taking more than six per cent for their money, while we read in the commercial columns of the Montreal papers that for the last month discounts have ranged in that city at from nine to fourteen per cent; and under these circumstances the fact that a number of the bankers did oppose the measure that was calculated to allow them to charge so much as they pleased for their money, was creditable in the highest degree to their patriotism. But the statement that all the bankers were on that side is not consistent with the fact. Among the gentlemen selected by the honourable member himself for seats in the Senate, on account of their Confederation leanings, three were Halifax bankers; and two of the Candidates for that country, on the same side, at the last election, were also bank directors. Then he

tells us, that the honourable member for Hants agitated the country, and prevented a fair expression of opinion. But was there no agitation on the other side? The honourable member from Cumberland himself, tried his hand at it pretty extensively, and so did the honourable Secretary of State for the Home Department, the Hon. W. A. Henry, Attorney General of Nova Scotia during the last four years, as well as the Hon. Mr. McCully—all men of marked ability; and does he intend us to believe that the combined efforts of all these gentlemen had less influence with the people than the single handed labours of the honourable member for Hants? If he does, he has placed for once an estimate on his own abilities that he would not be too well pleased to have pronounced by any member on this side of the House. Another excuse for his defeat is the assertion that the Government were unpopular because of the new law establishing taxation for the support of schools. A brief statement of facts will show how unfounded is this position. The County of Yarmouth is warmly in favour of the new law. In the town of Yarmouth magnificent buildings for academies and schoolhouses, such as would be creditable to any city in the Dominion, have been erected; and the schools have been equipped, and are being conducted on a scale of generous expenditure that only a complete faith in the system, and desire for its success, could inspire. Yet in the County of Yarmouth no man could be found to offer as a candidate in the Confederate interest for the House of Commons, while of six candidates for the Local House, only one was a Confederate, and he polled less than an hundred votes out of the 2,744 electors of that fine county. After all those lame excuses, it was only necessary that the honourable gentleman should go one step farther, and admit that the people would not vote for Confederation, because he and his colleagues were so unpopular, they had so mismanaged the public business, and outraged public sentiment during their four years of office, that the people would not vote for them or accept their services, no matter on what plea they asked to be re-elected. The honourable gentleman presents a not very dignified spectacle, when he comes down to this House with such a bundle of inventions and excuses to account for the defeat of his party. How changed his position to-day from that he occupied two years ago, when with high-handed arrogance he treated his fellow-countrymen as serfs, without rights to be acknowledged, or feelings to be respected. Four

years ago he had it in his power to confer lasting benefits upon his native Province, and in honouring her to have honoured himself. He did not choose to pursue such a course; and as the result of his policy, he stands here to-day shorn of his followers and his influence, having won in his own constituency a nominal victory that was worse than a defeat. Had he been just to his native Province, he might, like the eagle, have soared upwards to honour and dignity; but he resembles rather the sloth, that, fastening itself upon some tall sapling, devours the bark, and the green leaves, and the tender twigs, until the topmost bough is reached, and the last leaf disappears, when, starving amid the barrenness its own greed created, it falls to the ground a helpless, useless thing. When speaking of the outside influences affecting the Nova Scotian elections, the honourable member from Cumberland did not choose to mention certain influences of a very potent kind that were used in favour of Confederation. Every official in the Province was brought into line to vote for that party. Then the patronage of both the Dominion and Local Governments was most unscrupulously used, and promises of office were freely made as the price of political support. A lighthouse was in course of erection in the county I have the honour to represent, and the post of keeper was promised to no less than fifteen electors, to induce them to vote for the Confederate candidate; while since the election, the Gazette has groaned beneath the lists of magistrates and other officials, who have received places as the reward of their political venality. Last, but not least, there was the expenditure of the road grant for the year, the whole of which amounting to \$210,000, scattered in small sums over every settlement of every county in the Province, formed an immense corruption fund in aid of Confederation. If under all these circumstances, Mr. Speaker, if with all these advantages in their favour, the Unionists were unable to secure votes of one-third of the electors of the Province, it does seem a waste of words for the honourable member from Cumberland to attempt now to detract from the force of the Anti-Confederate victory, or to claim for the Confederates a preponderance of the intelligent and unbiased sentiment of the Province. I do not wish, Mr. Speaker, to occupy too much of the time of the House at this late hour, but I must respectfully ask the attention of members while I briefly refer to a few of the features of the Confederation scheme that cause the

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people of Nova Scotia to dislike and distrust it. The honourable member from West Toronto has spoken of the scheme as a partnership, in which the party holding the smallest capital was to be enriched by participating in all the wealth of his more prosperous neighbour. But, sir, in such partnerships, the advantage is not always on the side of the small trader. A case of this kind may sometimes occur:—a man of vast means, but of vaster speculative ideas, while carrying on an immense business, may be yearly plunging deeper in debt and difficulties, while his neighbour, living prudently and trading carefully on a limited capital, gradually, but surely, increases his wealth, and is enabled to greatly extend his operations. It might be natural, perhaps, for the larger trader in such a case, to seek a business connection with his unpretending neighbour; but such a partnership could not possibly be productive of good to the latter, and would be pretty certain, sooner or later, to involve him in his partner's ruin and financial destruction. This is nearly the case as regards Nova Scotia and Canada. Compared with the latter, in area, population, and commercial operations, the former is a small country; but though small, her financial condition is sound, she has prospered as few other countries have prospered, and she has not had a deficit in her treasury but once in twelve years. Canada, on the contrary, has never had a surplus but once in the same period of time. A partnership under such circumstances, may, perhaps, be advantageous to the larger and more extravagant Province; but Nova Scotians, as prudent business men, feel that the connection is one in which they cannot have much to gain, and may have much to lose. In looking at the British North America Act, which creates these Provinces a Dominion, I find that the first clause of Section 19, gives to the Dominion Government the power to control the public debt and the public property of all the Provinces. The Provinces all had debt enough, but Nova Scotia feels that in this respect she is not fairly dealt with beside her larger neighbour. Canada has very little in the shape of available assets to show for her debt, while that of Nova Scotia is represented by a valuable railroad property that in 1866 paid all its working expenses, and left a margin to go towards the interest on the cost of its construction. While the debt of Canada is represented by little else than a long series of annual deficits and a large bundle of useless railway bonds, almost every dollar of that of Nova Scotia is represented by a rail-

road which was her own, a railroad that when the Intercolonial is built will pay every cent of its working expenses and interest on the cost of construction—a railroad that is to-day the property of the Dominion, and can be sold at any day, and the proceeds put in the Treasury for the benefit of the Canadian Provinces, who never contributed a dollar to the cost of its construction. It is true, Mr. Speaker, that under the provisions of the Act before me, the Dominion assumes a large part of the liabilities formerly borne on the revenues of Nova Scotia. She pays the interest on \$8,000,000 of our debt—she also pays the salaries of our Lieutenant-Governor, our judges, customs officers, postmasters and lighthouse keepers; but, sir, she takes our money to do it with, and she takes from us a great deal more than she returns to us again. The honourable Minister of Customs has told the House that since the first of July, the Dominion Government has paid out on account of Nova Scotia a great deal more than was received from that Province. He ought to have been candid enough when making this statement, to have explained how this excess of expenditure arose, for everyone knows that it cannot be accounted for by the disbursements for the ordinary services of the country. It will be in the recollection of the House that a general election has taken place since the first of July. I may also explain that in that Province several very important public works are in process of construction. The Pictou Railway is nearly completed; the Windsor and Annapolis road is being built under a large Government subsidy—a new and very costly building for a post office and custom house is being finished, and there is also some expenditure on St. Peter's Canal in Cape Breton. It was never intended that the cost of all these works was to be borne upon the ordinary revenues of the Province. The money for their construction was to be borrowed on the Provincial credit, by the issue of debentures, and would have been obtained in that way, had the Province remained in her former position; but the Dominion Act having taken from her the power to borrow money for such purposes, it had to be provided out of the Dominion Treasury, and will constitute a debt against that Province, on which she will have to pay the Dominion interest at the rate of five per cent per annum. This is the probable explanation of the cause of the excessive disbursement on Nova Scotia account, spoken of by the honourable Minister of Customs, and I have no doubt that when the public accounts are

brought down, it will be found to be very nearly, if not quite correct. The second clause of this section gives to the Dominion Parliament the power to regulate the trade and commerce of all the Provinces. I have already, sir, adverted to the commercial aspect of this question. The honourable member from West Toronto has entertained the House with a long array of figures, showing how greatly Canada has gained by the Union—how many more ships, how many more millions of dollars of imports and exports, how many more thousands of sailors she has now than she had last year; but sir, if this proves anything, it proves that the gain is more on the part of the Canadian than of the Maritime Provinces, and that the latter have been dragged into this union to enrich and aggrandize their larger and more powerful neighbour. He speaks about the great advantage that must accrue to Saint John and Halifax from the building of the Intercolonial Railway, and gives a glowing description of the brilliant future in store for those cities when the hundred and twenty million dollars of imports and exports of which he speaks, shall pass through them on its way to and from the ocean. I trust, sir, that all his bright dreams of the future greatness and splendor of those cities by the sea will be more than realized. They might have been, sir, and they would have been had the Provinces of which Halifax and Saint John are respectively the capitals, maintained their independence, and been permitted to control in the future, as they have done in the past, their own commercial laws, disbursing their own revenues, and enlarging and extending that generous free trading system that has already brought them to their present advanced state of wealth and commercial distinction. Had this been the case, sir, we might have reasonably expected then, looking forward to coming years, to see these cities, grafting on their now existing commercial prosperity, a manufacturing enterprise that would cause them to take rank with the greatest cities on the continent; while throughout those Provinces blest as they are with the ocean in front of them, and untold wealth of minerals beneath their soil, the day would soon come when in every green valley, and on every sloping hill side, would spring up villages, towns and hamlets, replete with the busy industry of a free people, when besides the sound of the ship carpenter's adze in every seaport, in every town would be heard the unending hum of thousands of spindles, the panting of ponderous engines, the whirr of swift revolv-

ing and untiring machinery, while tall smoking chimnies offering up a ceaseless incense to mammon, all would proclaim a happy, peaceful and prosperous people. But the system that might have produced all this has been changed—those Provinces no longer possess the power to regulate their own commercial affairs, and while I do not say that the boon Canada has promised us in the Intercolonial Railway is wholly valueless, I think that it will be very far indeed from proving anything like a compensation to those Provinces for the great commercial advantages they formerly possessed, and which they have lost under Confederation. Sir, I hope to see that railway built, and I have no doubt it will be of great importance to the Dominion. It will give the people from the eastern and the western extremes, the means of access to each other; and, passing as it will for a large portion of its length through a country only partially settled, or entirely unoccupied, population will soon be scattered along its route, and towns, and villages will spring up beside it, all contributing to its local traffic, and in time enriching the trade of the maritime cities. But, sir, I do not see any reason to endorse the bright hopes entertained by the honourable gentlemen to whom I have referred, as to the great through traffic it is to bring from the cities of Canada to those of the Maritime Provinces. Montreal has the St. Lawrence open to her six months of the year, and the Grand Trunk Railway, 292 miles to Portland, always. Under these circumstances it is hardly reasonable to expect that she would either in summer or winter send a very large quantity of merchandise by the Intercolonial, 700 miles to Halifax Harbour for shipment, and it is hardly probable that in the ordinary course of trade, there would be sent over that line from Montreal to Halifax, a thousand barrels of flour in a thousand years, while the St. Lawrence remains where it is, and the Portland road lasts, unless that war or famine or some other causes producing an abnormal state of the market, render it possible. The people of Nova Scotia, whether correctly or not, believe that they have already suffered serious injury in their commercial relations, in consequence of Confederation. It is believed, that but for the very earnest desire felt in Canada to carry Confederation, but for the anxiety to have Nova Scotia in a position where her commercial necessities would compel her to come into Confederacy, the statesmen of Canada would have made a little stronger effort, either to obtain a renewal of

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the Reciprocity Treaty, or at least to have established with the United States an understanding for an exchange of products under a tariff that would not have proved so utterly destructive as does that now in existence, to the commerce of Nova Scotia with the neighbouring Republic. Some countenance was given to this view by the honourable Minister of Finance, who stated at a political banquet some three or four months ago, that but for the repeal of the Reciprocity Treaty, he might not have been permitted that night to "toast the Dominion of Canada." It may be very gratifying to honourable gentlemen to be able to toast the Dominion of Canada, but if the luxury has been obtained at the cost of the Reciprocity Treaty, it will prove a very expensive luxury to Nova Scotia. By the repeal of that Treaty, not only has the trade in wood, gypsum, potatoes, and other products of the field and the forest, between that Province and the States, been virtually destroyed, but the trade in the great staples of coal and fish has been crippled and rendered almost valueless. Our coal is now met by a duty of a dollar and a quarter a ton in the United States, and under this restrictive tariff, the export of that article from Nova Scotia this year has fallen off about 300,000 tons, causing a loss to the local revenue of the Province of \$30,000, and when our fishermen take their mackerel to Boston or New York, they are met by a hostile tariff of two dollars per barrel. I know the theory is, that the consumer pays the duties, and if that theory was correct under all circumstances, our fishermen ought not to suffer from this adverse tariff. But sir, the Nova Scotia shipper does not trouble himself to reason over abstract commercial theories. He only knows that when he takes five hundred barrels of fish to the Boston market, he receives no larger price per barrel than he did two years ago—scarcely so large indeed—while he is compelled to pay into the United States Treasury the large sum of one thousand dollars in gold, a tax so enormous, as in most cases to sweep the entire profits of a whole summer's fishing venture, rendering the trade almost valueless. If, sir, the inference from the after dinner speech of the honourable Minister of Finance is correct, and Nova Scotia is thus injured in her largest commercial interests by Canada's commercial policy, while she still had a Legislature of her own to contend for her rights, is it surprising that they should entertain some doubt and distrust of the Confederation Scheme, that gives to the larger inland Provinces the entire control

of her commercial policy and affairs. Another clause of this Act gives to the Dominion Parliament the power to tax all the Provinces by any mode or system of taxation. This power it will be observed, is also possessed by the Local Parliaments of the respective Provinces; so that in every Province of the Dominion, we are to have hereafter a double taxing machine for grinding the taxes out of the pockets of the poor, and there is only too much reason to fear that the machine, both general and local, will be worked to its utmost capacity. With five Parliaments now existing where formerly there were but three, five Governors, five executives, five sets of Governmental machinery, instead of three, it is not possible, but that the cost of governing these Provinces must be very largely increased. Then as regards Nova Scotia, we find that the whole of the local revenue left at her disposal, if the returns from Mines continue as large as they were last year, which I regret to state is not the case in the present year, will be about \$200,000 less than is required for the expenses of the Local Legislature, the humane institutions, the road and bridge service, the schools and other expenses to be borne by the local revenue, if all these services are maintained in the future at the same rate as in 1866. It may be said that that was an exceptional year, the expenditure having been larger for these services than ever before. This is quite true, but the fact remains, that the money was in the Treasury or it could not have been paid, and had Nova Scotia retained the control of her own revenues, it might have been there again, and being there, would have been expended for the benefit of her own people, instead of being, as must be the case hereafter, while the Dominion stands, expended for the general purposes of the new nation—purposes in which, it may be, Nova Scotia has little or no interest. The local revenue of that Province being thus inadequate to the demands upon it, the road and bridge service, and the schools must be deprived of a large amount of the assistance they have hitherto received from the Treasury, and thus a large increase of direct taxation will inevitably be forced upon the people. And sir, I would warn our friends from the Provinces of Ontario and Quebec that this Confederation scheme may not prove to be "all their fancy painted it." Their taxation in the shape of customs and excise duties can scarcely be less, and are likely to be more, for the general purposes of the Dominion than they were for Canada alone under the old Colonial

system; and then there will be the expense of the Local Parliament in addition, which can hardly be met by the local revenues now existing, and which almost inevitably will have to be supplemented by an increase of direct taxation. These are a few, and but a few, of the reasons urged why Nova Scotians were averse to entering this Confederation. They are reasons based on the principles of the scheme itself, and will last as long as the Dominion lasts. I shall only refer to one other reason, and it is one suggested by a remark of the honourable member for Lambton. That honourable gentleman says he would not like to belong to a country that lived by sufferance. Sir, Nova Scotia, in this Dominion must always live by sufferance. She can claim no right, enjoy no privileges, reap no advantages, but by sufferance. If she ever obtains even-handed justice, it is because the Canadian majority permits it, not because she has the power to achieve it for herself. Nova Scotia's nineteen representatives must always be powerless to protect the rights of their constituents in any matter in which their interests come in collision with those of Canada. Brought here under compulsion, they remain here under sufferance, and cannot hope to achieve any good for their country, or to make for themselves any more honourable position than that of captives to grace the chariot wheels of one or the other of the great parties into which the public men of Canada have for many years been divided. I trust, Mr. Speaker, I have said enough to convince the House that Nova Scotia's hostility to Confederation is founded on a deeper principle than any mere passing ebullition of spleen, or offence taken at the mode of its accomplishment. Nova Scotia is determined to ask for repeal. I believe I am not violating any confidence when I say that a petition to the British Parliament, asking for the repeal of so much of this Act, as related to Nova Scotia, has already been signed by all the members of this House from that Province, who have not spoken against repeal, and also by all the members of the House of Assembly at Halifax but two. That petition will be sent to England at an early day, and will be followed when the Local Assembly meets, by an address to the Crown from that body, urging that the prayer of the petition be granted. This is the position that the people of Nova Scotia have asked their representatives to take, and they will act consistently with that position, until the result of the appeal to Great Britain is known. Should the prayer of the petition be denied, it will then

become the duty of the men whom the people have chosen to represent them, to consider what is next to be done. But I assure this House that the popular feeling in which this petition for repeal originated, has in it nothing of disloyalty to England, neither is it a mere evanescent sentiment of wounded pride at the treatment the people have received, that will be satisfied with having punished the authors of the insult. That feeling has a deeper and more enduring foundation. In the Spring of 1866, when the Maritime Provinces were thrown into excitement by the appearance of a horde of Fenians on the New Brunswick frontier, just at the moment when their presence could be of so much service to the honourable Minister of Customs and his colleagues in that Province, by assisting them to carry the elections through the aroused fears of the loyal population, the several regiments of militia in Halifax county were called out, and arms were placed in their hands, for purposes of defence. Each man as he received his rifle was asked to take the oath of allegiance to the Queen. Whole companies and regiments at first refused to do so, from a belief that the sudden movement was a part of that policy which they feared was going to separate that province from the Mother Country. A company of the 9th regiment, which I have the honour to command as Captain, seeing the sudden arming, just at the juncture when they had witnessed so much treachery in the Legislature, and fearing that it was a political dodge, a Confederation trick, refused to be sworn, and only consented to take the oath when they found that they were required to swear allegiance to England, and not to Canada. In the present year, also, since the first of July, whole regiments in Halifax, Pictou, and other counties, have positively refused to perform their annual drill, because they believed it was no longer a Nova Scotian, but a Canadian law that imposed the duty—they refused to serve their country, because, as the men of one fine regiment in Guysborough county informed their Colonel, they thought they had no longer a country to serve. So fervent and determined is that feeling in many parts of Nova Scotia, that I believe, if the prayer of their petition for repeal is denied, it will require the most conciliatory policy and the exercise of the utmost prudence on the part of the Legislature and Government, to prevent trouble, and perhaps outbreaks and violence in some sections of that Province. But Mr. Speaker, in closing let me again assure the House that in all this strong feeling there is

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no sentiment or taint of disloyalty to the British Crown. On the contrary, it originates in the excess of love and veneration in which the authority and the flag of the Mother Country are held. If any one feature of the scheme more than another contributed to the development of that sentiment of hostility among the people, it was the fear amounting almost to conviction, that under this new system these Provinces might one day be severed from the Mother Country, and this fear will be quickened and intensified when the people find that the House is asked to congratulate His Excellency the Governor-General on the successful organization of a "new nationality," a new Dominion.

Mr. Alonzo Wright said if the House was all of his mind they would give Nova Scotia every assistance to get out of the Union. Some gentlemen had addressed this House in a most lugubrious tone, one gentleman having ushered in the Dominion in a tone more fit for a funeral, than that auspicious event. He agreed with the Address, and if the Government carried out what was there foreshadowed, they would deserve and receive the support of the country. After an amusing speech the member for Ottawa County sat down amid great applause.

Mr. Forbes, Mr. Speaker, in rising, if I am not too late to speak to this question, which has already occupied the attention of this House for some considerable time, I do so, feeling that I would be recreant to the trust imposed upon me by my constituents, and also to the interest of my country, and the Province I have the honour to represent—if I did not state to this House in clear and decided tones our united views upon this all important subject. In my first consideration of the subject of Confederation, I am free to acknowledge, that I was strongly drawn towards it, and I think had the Quebec delegates submitted the question to the people in the abstract, or rather only on the simple question of Confederation or a Union of the colonies, I should have given it my support, but coming down to us with the Quebec Scheme as a basis of the Union, it immediately challenged discussion, which resulted in raising a very strong and decided opposition to the measure, which I think has since continued to increase, and which fact is evidenced by the large majority of members returned to this House, in opposition to it, from the Province of Nova Scotia. One of the principal reasons of our opposition to this measure was, the people were not asked to accept the scheme at the polls, the



only constitutional mode, as we considered, under responsible Government, by which this question should have been decided, more particularly as the Province of New Brunswick had been appealed to on the question, and the voice of the people respected, and on their refusing to accept the Quebec plan of Confederation the further consideration of the subject was deferred until after a second election, when it received the people's sanction and acceptance; this was the manner in which the leader of the Government of that Province respected the rights of the people of New Brunswick. I did not question the legal right of our representatives to carry through this measure, for I know that they were the legal guardians of those rights, and that we had placed them in their keeping with every confidence in their integrity to preserve the same, but at the same time, although they had the legal right, I did not for a moment think, they would assert that right, and force it through without an appeal to the people of Nova Scotia, but, Mr. Speaker, they did so, and until the Act received the Imperial sanction, I felt that it would be passed upon by the people before it became the law, and that the people of Nova Scotia would receive the same consideration and justice that the colonies of Newfoundland and Prince Edward Island had, and that their views and opinions would be respected in this matter. I ask why Nova Scotia should not have the privilege to accept or reject this Confederation as the people chose, as well as those other colonies. Are her people not intelligent enough to pass upon a question of such importance to their happiness and welfare? I know men have been hanged who have been innocent of the crime for which they suffered, and the law authorized the act, but still no one would say it was right, and so in this case the law upheld the act, but is it right, to a free people under a responsible government to be forced into a Union so entirely distasteful and repugnant to their sympathies and feelings. I will not detain the House at this late hour with going over the subjects which have been brought again and again under their notice, but will consider a few points which have not received much consideration, but which are and will be an interference with rights and privileges which have been enjoyed for a century by our people, or particularly by the people in the County I have the honour to represent. I allude to the leasing of our river fisheries, which must take place under the Union Act. When the laws are consolidated the poor people under this Act will have to

pay for setting a net and catching a salmon, and I can assure you it will be a severe tax to make the poor net-fisher pay the bounty, to the man who owns a vessel and fishes in the deep seas. And another objection is, we do not consider the amount we are to receive for our local wants at all sufficient to supply the necessary means to carry out the requirements of those services and keep them up to their present efficiency. Mr. Speaker, we are told we are a new nationality; for my own part I am satisfied with the old flag and our old institutions, and do not think we in Nova Scotia care to change and come into this new nation, more particularly in the manner of our admission, and also knowing, as we do, some of the many difficulties, both physical and political, under which you were suffering, and that this was the plan adopted to remove those troubles, and use us as a make-weight to relieve some of them. In your physical relations, shut out from the sea (except through an enemy's country) for five months in the year and dependent upon suffering for access to the coast to that country, rendered your position perilous in the extreme, and then with equal representation from the two great Canadian families, your political troubles were of no slight character. Mr. Speaker, we have heard a great deal about loyalty, and we in Nova Scotia are proud of ours and also are proud of our patriotism, and feel that we are loyal to our Queen and country, and in this we will not yield to any one. We have the names of Nova Scotians to which we can point with the finger of pride, and who have earned for themselves a place amongst the heroes of the age, and placed their names upon the scroll of fame. We may speak of an Inglis, a Cunard, a Ritchie, and a number of others; but the cry of disloyalty and Fenians comes with a very bad grace from a people whose antecedents have not always been marked by the greatest respect for the representative of royalty, (and now, Mr. Speaker, I would say that if this subject had not been alluded to before, I would be very sorry to bring it here), it can never be said to us that we pelted our Governor-General through the streets, or burned our Parliament Buildings, or what I believe to be true, never left unpaid losses incurred by loyal men in defence of their country. A great deal of ingenuity has been used to prove to us that the Confederate minority at the last elections in Nova Scotia was but very slight. We will not stop to dispute that, but when we look around this House and see eighteen members out of nine-

teen returned as Anti-Confederates, it is quite sufficient to prove what the opinion of the people of that Province is on this question. Indeed, I do not know how to exemplify to you the Confederate party in Nova Scotia better than by an illustration from natural history; there is fish, a long, slim, slimy, slippery, wriggling thing of the eel tribe, it can move about in the grass and over the stones when slightly damp with dew, it will thus get into ponds and streams where it is not wanted, and where its presence is a source of trouble. Now, this fish when it finds that it is about to leave the world as instinct teaches it, will fasten itself by its lips to a rock, a stump, or it may be to a maple limb in some running stream and it dies; gradually a paleness comes over its body, its tail and fins macerate and soften, and soon it disintegrates, and is washed away down the stream and is swallowed up in the great ocean of eternity, and the last thing left of that animal are the jaws, and thus stands the Confederate party of Nova Scotia. Mr. Speaker, in conclusion I will ask the indulgence of the House for a few minutes longer, and in doing so it is my desire to draw the attention of the House to a speech delivered by the honourable Knight opposite. The Minister of Justice, to a meeting of electors in the city of Hamilton, in the Province of Ontario in July last, that honourable gentleman in that speech told the electors that, when the Confederation Act passed its first reading in the House of Commons that Canadian securities rose 2 per cent in the English market, and when it passed its second reading, and it was known it would certainly pass its third they rose 6 per cent more, 8 per cent in 14 days, thus showing the advantage of Confederation to the Canadians, and exploding the idea that it is wholly and entirely to the advantage of the Maritime Provinces, an idea freely circulated by the agents of Canada in the Provinces of Nova Scotia and New Brunswick; and further, Mr. Speaker, he went on to say, in the same memorable speech, that, "When we got the Imperial Act, we had got merely the license to get married, but we must be united by our own actions,—we must go before the Parliament of the Dominion, and then the marriage must be solemnized." Now, Mr. Speaker, I ask this House, if it is their intention to force us into this marriage con-

[Mr. Forbes (Queens)]

tract? We are in their hands according to those expressed views, and we appeal to your sympathies and the generous impulses of your nature for relief, or is it your determination to take to your breast a wife, kicking, struggling, fighting, determined to be free, to hand down to her posterity the same hostility to the oppression, and the wrong done to a free country and a free people by the brothers of the same tongue and language. (Deafening applause and cheers.) Now, Mr. Speaker, thanking you for your patience and the House for its indulgence, I beg to take my seat.

Mr. Rymal said he had been opposed to the passing of Confederation without appeal to the people, but when the Act was passed was willing to accept it. Still, if Nova Scotia were determined to leave the Confederacy, no act of his would prevent them. He thought a great mistake had been committed in not submitting the measure to the people. If the Confederacy is going to be a success, it is time we stopped finding fault with it, and if the members for Nova Scotia were determined to keep up the agitation on the subject, better to bid them go in peace. If the measures which the Government brought down were such as he believed would conduce to the welfare of the people, they should have no opposition from him; but, on the other hand, if a motion of want of confidence in the gentlemen would at any time be brought forward, he very much feared he should feel bound to support it.

Mr. Jones took the floor amid calls of "question" and "adjourn."

Sir John A. Macdonald said that it was the desire of the Government that the debate on the Address should be closed to-night, and if one or two gentlemen wished to speak the House could very well remain an hour or two to hear them.

Mr. F. Jones then began to address the House, when

The Hon. Sir John A. Macdonald called an adjournment in order that gentlemen should have a fair hearing.

The adjournment took place accordingly at twenty minutes to 12 o'clock.

## HOUSE OF COMMONS

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Thursday, November 14, 1867

### THE CABINET VACANCIES

**Mr. Holton** said in the absence of the honourable member for Hochelaga he would ask the Minister of Justice whether he was in position to make any statement in regard to the filling of vacancies in the cabinet caused by the resignation of Mr. Galt and Mr. Archibald. Reports had been seen in the public journals respecting offers of office to honourable gentlemen known in that House—one a member of that House and another a member of the other branch of the Legislature. The House should know at the earliest moment what appointments were made.

**Sir John A. Macdonald** replied that negotiations were in progress and had arrived at such a point that he hoped in a day or two to be able to announce the names of the gentlemen appointed to the vacant offices.

### DEBATE ON THE ADDRESS

**Mr. Jones (Leeds and Grenville)** resumed the debate on the address. He was not one of those members who thought Confederation was going to accomplish all the good predicted by its admirers but some change was found to be necessary. He believed in party governments, but parties must have principles to divide them. Questions would likely soon arise in Parliament which would divide the House into two parties. He would not apologize for the acts of the late Coalition, but it was not fair to saddle the whole blame of the increase of the debt to them. He protested against increasing representation, and hoped measures would be taken to reduce it. Before the Confederation Act we had a larger representation in Parliament in proportion to population than any other country in the world. He thought the Intercolonial Railway would cost more than the estimated amount, \$15,000,000, and that a larger guarantee should have been obtained from the Imperial Parliament. The opening up of the Northwest Territory would not be considered to be so beneficial to Canada as was generally supposed, but he could not agree with the opinion of the member for

Hants that that country could not be defended. He concluded by hoping that the House would enter on the consideration of the matters coming before them, without any reference to old party feelings, and party cries.

**Mr. Joly**, in the absence of Mr. McGee, rose to defend that gentleman against some remarks of Mr. Mackenzie ridiculing his attempts to suppress Fenianism in Montreal. Referring to Confederation, he (Mr. Joly) said he could not speak of that scheme with the enthusiasm of some members. He saw many dark clouds ahead and thought it would have the effect of sweeping away French nationality in this country.

**Mr. Mackenzie** said that the honourable gentleman had misunderstood his remarks. He had not accused the member for Montreal West of encouraging Fenianism, but held that he had miserably failed to prove that it existed as an organization, as he promised he would.

**Mr. McKeagnie** complained of the influences used at the last election to carry the election—the antis were termed rebels and annexationists. In the name of the people he represented, he protested in strong terms against the mode in which Confederation was carried. Whether the Act was good or bad it mattered not; it was a radical charge and the people had the right to be consulted. If the Imperial Government had said that the measure was a necessity and they must accept it, he could understand it; but when they pretended to have acted in accordance with the wishes of the people of Nova Scotia it was an utter mockery. But the question now is, how shall we redress the grievance—shall we repeal it? Yes, he would say repeal it, but not immediately. In deference to the Imperial Parliament and a large number of people in Nova Scotia, he was willing to wait awhile and see what the fruits of Confederation would be. (Hear, hear.) But he was not for peace. He would only prolong the battle—if Confederation turned out to be an injury to his Province, he wanted the way left open for withdrawal from the Union.

**Mr. Bodwell** heartily sympathized with the congratulations addressed by his Excellency

to this House and country on the consummation of the Confederation scheme; which he had strenuously supported because it promised, to his mind, the consolidation of British power on this continent, and many substantial benefits to the people of British America, as well as a remedy for many sectional evils and difficulties under which we had laboured for a number of years past. He could not, however, say that he regarded our new constitution as faultless. He regretted that it brought us back to a nominated Upper House. He regretted, also, that it had not been submitted to the people before its adoption. He congratulated the House on the great ability in debate shown by the gentlemen who had not formerly had seats in the Legislature, and who now came as representatives. At the same time he regretted the attitude the Nova Scotia members had assumed with reference to this measure of Confederation. In narrating the wrongs, which, from their point of view had been done to Nova Scotia, he thought that they had rather overdrawn the picture. The people of Ontario had rather been disposed to think that the scheme on the contrary gave undue advantages to New Brunswick and Nova Scotia. They had accepted it however in spite of this on account of its manifold advantages to the whole Confederation. It was still undoubtedly an experiment, and he hoped that honourable gentlemen from all sections of the Dominion would have sufficient patriotism to give it a fair and impartial trial. Mr. Bodwell proceeded to contend that Nova Scotia, as a member of the Confederation, would not in any way lose its individuality and local self-government, while at the same time it could not fail to reap many benefits from its connection with the rich and fertile provinces in its rear. He admitted, however, that if the Nova Scotians were determined to fight it out to the bitter end in order to get out of the Union—if they were resolved so long as they were in it, to make the Union a source of weakness instead of strength, he for one would say, let them go in peace. He then proceeded to refer to some of the topics embraced in his Excellency's speech. He said that by assimilating the postal laws Government would reduce the rate of postage on letters, and abolish all postage on newspapers throughout the Dominion. Western territorial extension was a subject deserving of the most earnest attention. It was of great importance that the fertile lands in the West should be rescued from the hands of the grasping monopoly which had long endeavoured to

[Mr. Bodwell (Oxford South)]

conceal their value, and to throw it open to settlement and colonisation. But under present circumstances, and while our future was in some measure unsettled on account of the attitude of Nova Scotia, it was a question in his mind whether Government would be justified in making any great present outlay for opening up that country. As regarded the defences of the country the opposition would heartily join in the adoption of any well considered scheme. He indignantly repudiated the implication which for electioneering purposes had been raised by gentlemen opposite on the loyalty of the opposition by the declaration that Fenians and Annexationists were found in their ranks. He claimed for Her Majesty's opposition in this House that they were just as loyal as the gentlemen who sat on the Treasury Benches, and he claimed for the people of Canada generally of all shades of political opinion that as regarded loyalty they were unsurpassed in feeling by any portion of the British Empire. But while admitting that means should be taken to put the country in a position to defend herself against aggression, he hoped the ministry did not contemplate a measure which would exhaust all the resources of the country in order to maintain a standing army. He hoped Ministers would not forget that we were not yet a great nation—that we were a people of only four millions, and that we had not the resources possessed by great countries for establishing a complete system of defence. He had no fears of American aggression and hoped it would ever be our policy to cultivate friendly relations with the American people. He regretted that so far as appeared from the speech no measures had been taken by Ministers with the view of securing reciprocity of trade with the United States. The abrogation of reciprocity had not produced the injury some had anticipated, but no one could doubt that great advantage would accrue to this country from correct trade relations with the United States. He believed that overtures made to the American Government by the late Minister of Finance never would have received the sanction of the people of Canada or this House. Such a thing as legislative reciprocity was not what we required. What was required was such arrangements as would give stability in the interests of commerce. He then proceeded to advert to some observations which fell from the member for West Toronto last night. When that gentleman said that his party—the party which he declared had swept Ontario—were prepared to give the administration a fair and impar-

tial trial, he presumed that trial meant a servile following of the learned Knight at the head of the Government, so long as he continued to distribute the patronage in a judicious manner among the members of that honourable gentleman's party. As regarded the present Government, while a party man and opposed to Coalition, he (Mr. Bodwell) was not prepared to say he would not accept good measures at the hands of the present Administration. He reminded the Minister of Public Works of his declaration in Lanark, during the elections, that on the assembling of the House, if the Reform members desired he should leave the Administration, he would do so, and return to the Reform ranks. He (Mr. Bodwell) believed it would be for the interests of the country if the honourable gentleman now fulfilled the pledge, for he believed any Coalition Government for the ordinary administration of affairs must necessarily be a corrupt and extravagant government.

**Mr. Carmichael (Pictou)** explained the manner in which the election in his county had been carried. He objected to Nova Scotia occupying a position of inferiority and existing by sufferance.

**Mr. Oliver** heartily concurred in the congratulations offered to His Excellency on the consummation of the Confederation scheme. He felt grieved that the gentlemen from Nova Scotia had not come with the resolve to join the other members of this House in making our new constitution a great success. He could not help sympathizing with them in consequence of the mode and manner in which the scheme had been carried in opposition to the will of the people. He hoped, however, that they would allow the constitution to be judged by its fruits, and if those fruits were unpalatable to them, he, for one, would not oppose dissolution of the Union, so far as they were concerned. Mr. Oliver then proceeded to show, at some length, that in the arrangement of the details as to the debts of the several Provinces, and the subsidies to be paid them, Nova Scotia received justice—and more than that, as compared with the other Provinces. He pointed out that they received the benefit of the Government buildings and other important works which had been paid for, without being required to contribute an equivalent. There was one thing, however, which Nova Scotians dreaded in joining this Union—which he was free to confess he dreaded also. This was the raising of the tariff. He thought it would be for the

interest of the Dominion that the tariff, instead of being raised should be reduced so as to approximate to that heretofore prevailing in the Maritime Provinces. He thought that the true principle to regulate our commercial transactions with all other countries would be perfect freedom. He dissented from the opinion of the member for Hants, that we were not in a position to defend ourselves. He believed that backed by the whole strength of the Mother Country, we need not fear an aggressive movement from any quarter whatever. In illustration of that point he read an extract from a speech of the Hon. Mr. Brown, and remarked that the member for West Toronto in his speech last night had availed himself of these figures without acknowledging the source whence he derived them. Mr. Oliver adverted to a statement made by the Minister of Finance that Ministers had carried the elections in the Province of Ontario because the people of that Province sanctioned the policy of the late Ministry, and especially their banking policy. Such was not the fact. The people were asked, during the elections, to forget the past history of these men, and to give the Ministry a fair chance in working out Confederation. As regarded the currency scheme, he had himself voted for it, but did so because the assurance was held out to the House that if sufficient money could be raised by the sale of Provincial debentures, the currency scheme would not be put in operation. He asserted that faith had not been kept with the country in this matter—that if 7 per cent. debentures had been put on the market in a proper manner, they would have been readily taken, but that the scheme of selling debentures was so managed as to secure its failure. The late Finance Minister said that the Commercial Bank did not fail in consequence of the contraction of the currency. In opposition to that statement, he (Mr. Oliver) contended that the effect of the scheme was to produce generally the impression that when the Bank of Montreal had received such superior advantages, no currency was safe, and the want of confidence thus produced gave rise to the run upon the Commercial Bank, and its suspension. As regarded the alleged approval by the people of the banking policy of the Government, he ventured to say if the election had taken place after the failure of the Commercial Bank, not one in five of the gentlemen opposite from Ontario, supporting the Administration, would have found a seat in the House. Mr. Oliver proceeded to advert to the real cause which he conceived had given

the Administration a victory in Ontario. One of those was the disposition on the part of the people that those who had taken part in maturing the Confederation scheme should have an opportunity of carrying it into practical operation. Another reason was to be found in the unscrupulous tactics of members of the Dominion Local Governments in their visits to various constituencies. Another, was the influence of the Grand Trunk, and in this connection he warned the members of the Maritime Provinces of the pernicious results which would be experienced if the Grand Trunk were allowed to get hold of the Intercolonial Railway as they had of the Buffalo and Lake Huron. A fourth reason was the free use of money. He could not concur in the invitation given by the member for South Oxford (Mr. Bodwell) to the Minister of Public Works to take his seat on the opposition side of the House. He thought that from the action of that gentleman during the last election he was not entitled to act on that side. When they found him travelling from one end of Canada to the other to defeat reformers, and going all the way from the seat of Government to Toronto to vote for a Conservative against a Liberal candidate he did not think he was entitled to be recognized as a Reformer. Mr. Oliver then adverted to the constitution of the Senate, regretting the adoption of the nominating principle. Its first results were very unfortunate in filling the chair of the Senate with a gentleman from this House who was distasteful to the members of that body, and in the fact that the people of Nova Scotia had not now in the Upper House a single representative of their views as expressed during the recent election. He trusted that part of the constitution would be amended. Having expressed his desire that the gentlemen from Nova Scotia would join in working out the constitution so as to make it productive of blessings to the people in all parts of the Dominion, Mr. Oliver resumed his seat amid cheers.

#### AFTER RECESS

The Speaker took the chair at eight o'clock.

**Mr. McGee**—Mr. Speaker: Although we all must feel the inconvenience of a prolonged discussion on the Address, I trust the House will grant me its kind indulgence in rising to offer such remarks as have suggested themselves to my mind during the course of this interesting and important discussion. (Hear.) In doing so, sir, I make my obeisance to the eminent position you occupy, and to its pres-

[Mr. Oliver (Oxford North)]

ent possessor; a most grateful duty to any one who has had the privilege of the previous acquaintance of Mr. Speaker, and a duty which will be grateful hereafter to every member of this House who himself had formerly that privilege. This Parliament, Sir, over which you have been chosen with unanimity to preside, meets here in what was called the other night "the backwoods of Canada," under singular, but in the main, what I cannot but think, fortunate auspices. Contrary to foolish rumours which had been let loose by their foolish authors, no member for the new Dominion is absent from his seat; we meet with full benches, and with an Executive strong enough in experience and in following, to give a salutary certainty to the financial and other measures that may propose to this House. (Hear.) We meet in the Capital of the Sovereign's choice in obedience to the Sovereign's summons; and I trust, and believe, we are all here to make the best of that Constitution, which our own work has received that Sovereign's cordial approbation. (Cheers). This Capital, it is true, is very near the backwoods; it is rather the ground-plan of a great city, than what one usually conceives a great capital city, ought to be; but if the foreshowings of the speech from the Throne, should come to pass, and our new nationality be extended, "from the Atlantic to the Pacific,"—and from the Atlantic to Lake Superior is a long stride in that direction, —(Hear, hear), Ottawa will be found central enough and convenient enough for the transaction of the public business of the entire Dominion. Mr. Speaker, so soon as we were assembled under this roof we had the speech from the Throne, now under consideration; but there was another occasion, on which another speech from the Throne, might have been addressed if not to us to those who sent us here; a speech which might have been made when Her Majesty gave her assent to this Act; which history will not fail to make as addressed by England to us in this passing year of 1867, and in terms such as I will venture to find expression for, as best I can. Her Majesty might have said on the occasion to which I refer,

Gentlemen of the four United Provinces, I transfer to your charge and keeping, all those parts of North America which remained faithful to the King, my grand-father, after the secession of our other American possessions. I transfer to your charge and keeping, a vast territory which the Kings my predecessors have clung to with a determined resolution for three centuries; for the possession of which we seven times went to war with powerful rivals; which cost us to retain and defend, many thousands of lives and many millions of treasure: This territory so eagerly explored, so

ardently coveted, so bravely contested with gallant competitors; I now, in the name of my people and by the advice of my Imperial Parliament, transfer to you and yours, to have and to hold, to make or mar—to build up or to break down.

(Loud cheers.) Her Majesty might have so spoken on the passage of the Union Act,—and if deeds were as vocal as words, (which they often are to those who understand their dialect,) such a speech has actually been delivered to us, by the head of the Empire, and it is to take that speech, as well as this into consideration we are assembled here. (cheers.) Sir, this is not the continuation of any former legislature; nor are we here, least of all, as one Province men; we are here, if in good faith, as members of one Dominion, Puissance, of “new nationality” so constituted by a deliberate and well considered Act of the Sovereign, to begin a new set of journals, which we all trust may become the precious records of a great, free people. (Cheers.) I regretted much to hear my honourable friend from Hants, for so (notwithstanding certain hard sayings during his late hustings’s campaign, I presume to call him); I regretted much to hear him so repeatedly use the terms, whenever he spoke, “your country” and “my country.” This Act by virtue of which we were summoned here, in the Queen’s name, constitutes us, so far as a Constitutional Act can, one country; we are all here, every man of us, if in bona fides, which I do not doubt, to legislate for the four Provinces (and all British America, ultimately) as one country; and the hour that we passed that bar, to take the oath of Membership in the Parliament of the Dominion of Canada, we assumed the character of fellow-countrymen even more bindingly, than we had it before. The honourable member and those who may agree with him, have already made their election in coming here; they have already acknowledged the Union, and sealed their acceptance of it with a most solemn oath; they cannot, therefore, be in the Union and out of it, at one and the same time; and my respectful suggestion to the gentlemen of that opinion is, that they should give it the adhesion which they have given, cheerfully, and gracefully as the honourable members from Westmoreland and Guysborough did when they spoke, and so let us proceed, to hold common council for a common country. (Cheers.) This Act says: “Canada shall be divided into four Provinces, Ontario, Quebec, Nova Scotia and New Brunswick.” I sincerely trust the honourable members have no insurmountable prejudice against accepting the common name of

Canada and Canadian. (Hear, hear.). If British America could have been condensed into one word; if it were equally indigenous, euphonious, and applicable, to all sections of our population, many would have preferred it; if the title of Nova Scotia could have been with propriety extended westward, I for my part, should have cheerfully accepted it, for I have a strong historical and personal feeling of attachment, for old Scotia and new Scotia. But of the names from which we were free to choose, there was none so indigenous, so euphonious, and so applicable, and without disrespect to the other Provinces, there was none so illustrious as Canada. (Cheers.) For three centuries—whether under French or English domination—the valley of the St. Lawrence has been the stage of great men, and the theatre of great actions; Canada is a name familiar to all educated people in England, France, and America, (cheers); and if as Lord Bacon said, in recommending the adoption of the name of Britain, in the reign of James I, a name has “much impression and enchantment in it,” I believe we have chosen the best one which was left to us, and one which we may hope, all our descendants, if not ourselves, will be proud to bear, to defend, and to illustrate. (Cheers.) Mr. Speaker, the Union is established, and we are here, or ought to be, all of us, as Unionists; and I quite agree with the honourable member for Cumberland (Dr. Tupper), that it would be much to be deplored, both here and at home, and beyond our limits, if the impression was allowed to go abroad, from this House especially, that our Act of Union was carried by means of intrigue, corruption and coercion. No such stain must be allowed to rest upon the fair repute of this great transaction; no such false version of the facts must be allowed to go uncontradicted into general and permanent circulation; and I stand here prepared to maintain the allegations in the Address, that not only as to its substance, but as to the mode of its preparation and passage into law this British America Act, is a glorious and most timely charter, for which we have all cause to be thankful. (Cheers.) As one of the least of its promoters, cognizant, I believe, of every step of its progress, from the first rude sketch scarce half designed at Charlottetown, in September, '64, to the finished piece of legislation, completed at Westminster, in '67, as we now have it here; I stand up to maintain, that all its provisions were honestly meant and fairly meant towards every Province; I stand here to maintain that three years discussion in this busy age was not an insuffi-

cient time for the consideration even of so important a measure (Cheers); and I deny that in any degree, our Union owes its establishment, to intrigue or corruption, or coercion. (Cheers.) This, sir, seems now, necessary to be done before this debate closes because not confining himself to personal vindication, the honourable member opposite (Mr. Howe) has endeavoured even here to discredit and dishonour the men and the means by which this Union was carried, and his efforts in that direction are put very adroitly on the American market. Here Mr. McGee read an extract from the *New York Herald* of Saturday as to Mr. Howe's speech. I purposely refrain from all criticism on the honourable member's personal vindication. If he says now he did not mean what he said at Halifax in '64, after the Charlottetown Conference was called, or at Port Robinson in '62 when I stood by his side, what we all thought he then meant, what was corrected for the press by a hand which he only could control, and what he received without explanation, our congratulations on having said, I can only observe that I regret it; I deeply regret it. (Hear, hear.)

Who would not grieve if such a one there be  
Who would not blush if Atticus, were he?

But when the honourable gentleman goes farther than personal vindication—when he attempts to lay rude hands on this work of so many able and patriotic men, steadily prosecuted through several years, when he ventures to asperse the motives of our colleagues in this work and discredit the work itself—it is necessary that some Unionist, who knows all the facts, should rise before the close of this debate, to vindicate both the work and the workmen. (Cheers.) It will be remembered by all who hear me that the growth of this design in Canada was gradual and continuous. In '53 Sir Edmund Head, had promised in his speech, at the close of the Session to move the Imperial authorities. The same year, the honourable Minister of Militia, the honourable member for Sherbrooke, and the Hon. Mr. Ross, then in England, did actually so bring it; in 1859, the Canada Reform Convention declared in general terms, for the Federal principle; as a meeting of the Lower Canada Opposition, with which I at that time acted, also did, about the same period. In the other Provinces, especially in Nova Scotia, the movement was simultaneous with our own. In '61 the honourable member for Hants, (Mr. Howe) moved and the Legislature of Nova Scotia carried unanimously, the Union resolution read for us the other

[Mr. McGee (Montreal West)]

night, by the honourable member behind me, (Dr. Tupper.) I well remember in 1862 when the honourable member with one, who, I much regret for the sake of this House, is not now with us, (Mr. Archibald), the honourable minister near me (Mr. Tilley,) and other gentlemen from New Brunswick came to Quebec in relation to the Intercolonial Railroad, how much they regretted with me, that the then Government of Canada proper, headed by the honourable member for Cornwall, could not be induced to take up the question of Union. (Hear, hear, and cheers.) The honourable member said the other evening that he brought in his Union resolution to satisfy my esteemed friend, Mr. John Tobin, the former member for Halifax city; if so I am happy to know that Mr. Tobin had so much and such a salutary influence upon the honourable member; but he was not—I refer only to what I am personally a witness of—quite correct, as to what took place in consequence at Quebec. So far from "laughing over it for an hour," the joint meeting of ministers over which I had the honour to preside, listened for nearly that space to an ardent appeal from the honourable member to take up the Union question conjointly with the railroad, and when we who agreed with him found ourselves a minority, we consoled ourselves with the reflection, that the road would render the Union, bye and bye a necessity. (Loud cheers.) I mention these facts to show, that whoever else was taken by surprise by the design of a Canadian Union, the honourable member for Hants certainly was not, but though men may halt, or may drop off, events will not stand still; and accordingly in '64, we found that unexpectedly the prospects of Union, both east and west, had suddenly brightened up. Between March '62 and June '64, we had three unsuccessful Canadian administrations, a state of things which every one saw could not continue in this country. This led to Mr. Brown's Constitutional committee in the Session of '64, which proved rather a fiasco except that the Federal principle found increase of favour on both sides of the House; and this again led to the Canadian Coalition of the same summer, brought on in the first place by the disinterested interposition of the honourable members for Lanark and Compton, (Mr. Morris and Mr. Pope) and sanctioned by the honourable member for Cornwall, and the formal vote of the Opposition of that day. It has been urged against this Union as a corrupt taint in its very conception, that it was brought about so as to settle a chronic constitutional quarrel, between Upper and Lower



Canada; sir, I admit that was one reason for the Union, and a very good and excellent reason it was; but there were other motives and influences, (foreign and domestic) at work, to the same good purpose, which may not be so patent to the popular recollection. It is astonishing how apt we are to lose sight of the influence of events in which we have not been ourselves personally concerned, and I need not take a better illustration of this fact than by asking the members of this House—all of whom must well remember the date—to carry back their thoughts to the bombardment of Fort Sumter, on the 12th of April, 1861, just five weeks after the installation of President Lincoln, at Washington. Eight years have not yet passed, and who but the actors personally engaged can now recall the successive steps by which secession rose into civil war, and civil war into an American revolution, both in a military and constitutional sense of the word revolution? Who remembers the particulars of the secession of South Carolina, of Major Anderson's first movement, or General Beauregard's first order to fire on the flag of the Union? I recollect, sir, saying at the time, in a debate on our constitutional difficulties in 1861, when we sat in Quebec, that that first shot fired at Sumter "had a message for us"—Canadians; and that that message was "to sleep no more, except upon our arms." (Hear, hear.) But if my words were then considered, as they may have been, mystical, or at least premature, they were found to have a meaning before the end that same year, when in the month of December, Captain Wilkes seized Messrs. Mason and Slidell, in the Bahama channel; when the United States Government incarcerated them in Fort Warren and the British government demanded their release. (Hear, hear.) Not only at the time of the Trent affair, but at every subsequent period of the four years' civil war, American events deeply impressed themselves on every Canadian capable of observation or reflection. We saw in those four years the improvisation of a Northern Army of 800,000 men, and a navy carrying 4,900 great guns. In the miserable affair of St. Albans; in placing armed vessels on the lakes, contrary to the treaty of 1818; in the Fenian raids; in the introduction of a vexatious system of passports; in the refusal to renew the Reciprocity Treaty, we were taught at every step how powerless we were under the old state of things; we were taught that the days of the colonial comedy of Government were over and gone, and that politics has become stern, and almost tragic for the New World. (Cheers.) We needed not

the lesson taught with such personal directness in the detestable assassination of Mr. Lincoln, and the equally atrocious murder of more recent date, when the gallant Emperor of Mexico was done to death at Querataro (hear). I do not pretend, Mr. Speaker, to discern more clearly than others the signs of the times on this side of the Atlantic, but I should consider it an insult to the intelligence of any member of this House, to undertake to show him how this revolution in the whole affected and continues to affect, these Provinces, and to render more and more necessary for them, a common Government, and a common policy (hear, hear.) The statesmen of England, accustomed to deal with affairs, far and near, were quick to learn the lessons of the civil war, and long before Lee had surrendered, Great Britain began to shape her new policy toward the United States. Sir, that new policy included the concentration of the forces and means of these Provinces, under one General Government, if the British connection was to be maintained; everyone knows that such was the condition of the connection; and, whoever values the connection, will not disparage the condition, (hear, hear.) So much, Mr. Speaker, as to the antecedents of the projected Union up to '64, and the coincident American Events, which seemed to many observers in England and the Provinces, to demand all possible expedition in its prosecution. The Quebec Conference I have already mentioned, but perhaps I may be permitted to refer again to the 33 gentlemen who came together there, to frame the outlines of this measure. I will not compare them with other assemblies held in other times and countries for similar purposes; but I will say this, for that assembly, that a more anxious and laborious body, never met to deliberate on the fate of their fellow countrymen. (Cheers). My honourable friend (Dr. Tupper) and my other honourable friend (Mr. Tilley,) were accused, I believe, of sacrificing their respective Provinces to the deep seated machinations of the so-called "Canadian party"; but, whoever had seen those gentlemen and their colleagues, in that conference, must have at all events, borne testimony to their zeal, for their own constituents (hear, hear.) Sir, I cannot recall the recollection of that assembly, now that its work is so far done, without reference to one bright and venerable name—that of the President of our body—Sir Etienne Taché, (hear, hear.) Those who remember that gallant old French Canadian gentleman, need not be reminded how far he was above lending his unsullied name to any miserable intrigue or corrupt

bargain, (hear, hear.) His sense of duty was that of a soldier of the Spartan stamp; and there is reason to fear that he may have hastened on his last illness, by this devotion to the cause of Union. (Hear, hear.) Even in death it seemed as if his high character served to promote the same good work; and I could not but think as I saw his colleagues—Protestant and Catholic—the Hon. Mr. Brown included, sitting in the sanctuary, at the Requiem Mass, and standing beside his grave in the quiet churchyard of St. Thomas, that the example of so honourable a leader, would not be without imitators among them. (Loud cheers.) Sir, it was a very proper proceeding of the last Parliament of the former Province of Canada to order a testimonial to the memory of Sir Etienne Taché to be placed in the House he led during the Confederation debates of 1865; and I feel that we could none of us wish our new Union better, than that it may have hereafter,—as I trust it will have,—many statesmen, entitled to find their effigies ranked by his side. (Hear, hear.) The President of the Quebec Conference is no longer able to defend himself or his colleagues in that Assembly, but the great majority of those who were members of it, are still here, or in the other House. If there was a corrupt intrigue, we are here to answer for it: we are here ready and willing to be tried by our peers, and for one, and for all, I challenge those who have accused us so loudly behind our backs, before audiences where we could not be heard in our own defence; who sit here not on seats alone, but on a three legged lie; I dare those bold accusers of absent men, to stand up now; here; in this debate; and to make good their charges of corruption against the authors of this Union, in any one of those Provinces. (Hear, hear.) Mr. Speaker, this challenge will not be accepted; it cannot be answered (cheers); let then, the vile calumnies of the canvass perish and be forgotten with the canvass; and let the retribution which is spared to the calumniators, be a warning to all those who come after them, that detraction at ever so great a distance, is an unsafe as well as an unworthy weapon of political warfare. (Hear, hear.) The honourable member for Hants has spoken in laudatory terms of the public spirit of those who aided him, in his abortive attempts to defeat this Union. Sir, I am quite willing that the public conduct of the friends and foes of Union, in all the Provinces, should be contrasted, as often and as openly as possible: whether greater moral courage was shown in swimming with the current of local prejudices, or against it in the Maritime Provinces

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every man can judge; and I will say for my part, that to the fortitude, the energy and the determination of the Maritime Unionists, led by my honourable friends near me (Messrs. Tilley, and Tupper), not forgetting the gallant and faithful few of Prince Edward Island, the whole Dominion owes a debt of gratitude, which I trust will be repaid, with interest. (Applause.) Whenever such a Unionist presents himself in public or in private life, throughout this wide Dominion let his very presence bring a welcome with it, and let his name be a title of honour for us and for our children. (Hear, hear.) I do not blame all those who were not original Unionists; I do not blame the many wise and good men, who could not, or who cannot yet see, this cause as we see it; but I do blame those who had recourse to prejudices, old and new, to combat a project they could not argue down; whose trust was in the mistrustfulness of poor human nature, and in its proneness to harbour evil suspicions of others. I do blame them that the intentions of the friends of Union, which were noble and upright, were so grossly misrepresented, and that this battle of great principles was, by its adversaries adjourned from the high ground to the low—was drawn off into a slough of personality, where the combatant who could throw most direct, was most at home. Among the other prejudices appealed to, in the canvass against the Union, was the frequent reference to the case of the Legislative Union, of Great Britain and Ireland, which was impudently assumed to be a case in point. This seems to have been considered a most crushing reproach as addressed to myself, and I am told great use was made of it, on both sides the Bay of Fundy, and that it had some effect with Irish electors in several constituencies. (Hear.) I am ashamed, sir, to have to bring before the House so false, and so unworthy a means of misleading the ill-informed as this was, and to charge its authorship as I must, on gentlemen, who ought to know better. The Irish Legislative Union, sir, has not one circumstance, either in its inception or completion, in common with our Federal Union. In Ireland there was an ancient Royalty, first invaded in hostile array by King Henry I, but really united, by election of its own chiefs to the Crown of England in the time of Henry VIII, (in the year 1541); an ancient historical Kingdom retaining after the annexation of the two Crowns its own Legislature, acting absolutely for that Kingdom, conjointly with its own Crown, in peace and in war; voting its supplies to the King of Ireland for the army and navy and civil service of Ireland;

choosing a Regent on its own terms, (as in 1788); a Crown co-ordinate with the Crown of Britain; a Sovereign Legislature, within its own domains, not derived from the Legislature of England, as had been solemnly asserted and admitted, in 1641, 1689, and 1782; this was the description of nationality which was extinguished in 1800, while the people of Ireland groaned under martial law, and meetings of electors were dispersed at the point of the bayonet, and yet presuming on the credulity or preoccupation of their auditors, this is the historical parallel which intelligent men—members of this House I am ashamed to say—did not hesitate to parade as an awful warning, and a case in point at the hustings in the Maritime constituencies. (Cheers.) Sir, some months ago, a truly great man, on his election as Lord Rector of the University of Edinburgh in speaking of the abuses of high intelligence, was driven to ask, could there be a sadder spectacle, than “an eloquent man, speaking that which was untrue?” (Cheers.) I turn to the gentlemen who were guilty of misleading their Irish friends into hostility to this Federal Union, by false and forced parallels with the Irish Legislative Union, and I ask them in all earnestness for what purpose do they suppose did the Giver of all good gifts endow you with superior intelligence—above that of the mass of men? On what tenure do you hold those powers of expression and persuasion by voice and pen? What are the obligations of the intelligent to the unintelligent, among countrymen and fellow-citizens? Is it to trade on their prejudices, or to withstand them? Is it to foster ancient animosities and antipathies, or to abate and restrain them? Is it to tell the truth, or to pass off falsehoods for truth? (Cheers.) There can be but one answer to these questions, and I commend that answer to the authors of the unfounded parallels between the Irish Union and our Union (Cheers.) For the friends of the measure, I defy any one to show that we ever resorted to such unworthy appeals to sectional prejudices, either in the protracted debates at Quebec in 1865; or during the two elections in New Brunswick; or in Nova Scotia (hear, hear.) It is true it has been alleged elsewhere that we made use of the Fenian organization in the United States, to subserve the Union cause: it was even alleged directly, at one time, that I was instrumental in promoting the Fenian raid against Campobello, as an electioneering auxiliary to our friends in New Brunswick. If this was meant as a jest, it was a poor one; if it was seriously meant, it was a pitiful invention, of which its authors ought

to be ashamed. These were some of the prejudices against which our friends on the Atlantic had to contend; in the Province of Quebec there were not wanting sectional cries, and appeals to prejudices of creed and origin; but my honourable friend the Minister of Militia, with the moral courage which distinguishes him withstood those cries, and aided by the leading men of the British minority, he triumphed over them. In Ontario an able agitator, of whom I shall say no more in his absence than that, as I never shrunk from encountering his prejudices either as a friend or foe, neither do I exult in his defeat though much deserved, but this able man also attempted to create a sectional party—to revive rather the old and obsolete parties in his own province—and he met with his deserts. The learned gentleman at the head of the government, (Sir John A. McDonald,) met Mr. Brown and his friends on the sectional issue in Ontario, and gave them a tolerably complete overthrow. (Applause.) In this way we faced and fought every prejudice in every Province; in all but one we succeeded, and I do not at all despair, that if this Government does its duty firmly and fairly by all the Provinces, but that we shall have from that one, as the honourable Member for Guysborough, (Mr. S. Campbell,) last night assured us, a full and fair trial. (Hear, hear.) So far I have endeavoured to show that the steps taken to carry this measure were circumspectly, and constitutionally, and fairly taken; I now come to the internal merits of the Act itself; but before I proceed to that part, I must say a few words as to the circumstances immediately attending its passage through the Imperial Parliament. Sir, while I join him in that expression of very natural regret I must observe, that there was no want of interest or discussion in England generally. All the reviews, the magazines, the leading journals, were full of British American Union. The honourable member himself had plied the press vigorously while in London, and had elicited very able replies, from other Nova Scotians, also, fortunately, there at the same time; but it was quite evident to the members of the Imperial Parliament that the adoption of this measure was a foregone conclusion, and they are not apt in England, to debate matters already decided. Every statesman of every party saw the necessity for its passage; it was the measure of two administrations, and fortunately could not be made by any side a party question. (Hear, hear.) Mr. Gladstone and Mr. Cardwell, were as anxious for it, as Lord Carnarvon and Mr. Disraeli; one of the best speeches made in its

behalf was by the veteran Whig leader, Earl Russell, though it was brought in by a Conservative administration. These circumstances go far to explain the absence of any elaborate parliamentary criticism of the Bill; and besides, it was somewhat becalmed, by getting under the lee of the great domestic question of the day—the Reform Bill. Although, therefore, the Act was passed without an exciting debate, it certainly was not passed, either in ignorance or indifference, to the present, or future, of these Provinces. Before passing from this point, I hope I may be permitted to render what is due to the two statesmen—the then Colonial Minister, and his predecessor in that office—(Mr. Cardwell and Lord Carnarvon), to whom our delegates when in England were so largely indebted. It was my good fortune though detained behind my colleagues to reach London, as a Delegate, before the introduction of the Bill in the House of Lords, and to have listened to the very full, and clear and convincing statement of Lord Carnarvon. That speech will remain a convincing testimony of his Lordship's great abilities, and his great interest in our future: and perhaps the House will permit me as illustrative of its whole spirit, to read them one passage which occurs towards the close of that speech—

But if the advantages of Union are great in a military, a commercial, a material point of view, they are not, I think, less in the moral and political aspect of the question. When once existing restrictions are removed, and the schools, the law courts, the professions, the industries of these Provinces are thrown open from one end to another, depend upon it a stimulus greater than any that has ever been before in British North America will be applied to every form of mental or moral energy. Nor will it be the main body of the people that will alone feel this. The tone of Parliament, the standard of the Government, will necessarily rise. Colonial institutions are framed upon the model of England. But English institutions, as we all know, need to be of a certain size. Public opinion is the basis of Parliamentary life; and the first condition of public opinion is that it should move in no contracted circle. It would not be difficult to show that almost in proportion to its narrowness Colonial Governments have been subject to disturbing influences. But now, independently of the fact that in these confederated Provinces there will henceforth be a larger material whence an adequate supply of colonial administrations and colonial oppositions can be drawn, it is not, I think, unreasonable to hope that, just as the sphere of action is enlarged, the vestry element will be discarded, large questions will be discussed with the gravity which belongs to them, men will rise to a full sense of their position as members of a great Parliament, and will transmit their own sense of increased responsibility and self-respect through Parliament and the Government to the main body of the people.

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As to the measure itself I am not going to inflict on the House, an analysis of its 147 clauses; but there are some principal provisions of it, to which I must refer, in justice to the subject itself: such as the guarantee of the educational rights of the minority, in the 93rd clause; and the several clauses which define the Constitution of this House; of the Honourable Senate; of the Judiciary; and the clauses affirming the Sovereignty of Her Majesty and her successors, over British America. So far as I know this is the first Constitution ever given to a mixed people, in which the conscientious rights of the minority, are made a subject of formal guarantee. I shall never cease to remember with pleasure that I was the first proposer of that guarantee in the Quebec Conference; a guarantee by which we have carried the principle of equal and reciprocal toleration a step farther in Canada, than it has yet been carried, in any other free government—American or European. (Hear, hear.) I have no desire to go into the vast question of education at this moment; it is a question on which all men feel free to speak, rather than bound to think; but I hail this 93rd Clause of our Union, as the Magna Charta of the youthhood of this Dominion; as a solemn guarantee that no Christian parent shall ever be obliged in any part of British America to succumb to the heartless, and soulless, and godless doctrine, that religion and education can be justly divorced in a Christian country. (Applause.) As to the Constitution of the two Houses, under this Act, we have adopted here, what Ontario long ago demanded, and Quebec resolutely resisted—"representation by population." I had always declared that principle a just one, as applied to the popular, or taxing branch of the legislature, but I had always voted against its adoption, "unless as part of a general Constitutional Change." Well, Sir, that change at length arrived; Ontario got what she wanted; and the first use she made of her enlarged representation, I am rejoiced to say was to put down her sectional agitators, and to send here a sound Union majority. It cannot be concealed, however, that 81 members for one Province, out of 181, is a formidable preponderance, and it will be for my honourable friends, the leaders of Ontarian public opinion, on both sides of the House, to see that it does not become a dangerous one. I will not venture to speculate at this moment, on the probabilities of future party combinations; but it is plain to any one, that it is most undesirable for the sake of each Province, and of all, that any one should

come here en masse, as a Province, either in Government, or in Opposition. But, sir, this also I will venture to add, that no one Province politician can ever lead this Dominion Parliament; that the man must be of national dimensions to fill that place, and discharge its duties. So it will be; so it ought to be! (Applause.) As to the life Senate, we have all the best constitutional authorities with us, that a second Chamber ought not to stand on the electoral basis of the first; and, so long as our Senate continues to be a fair representation of all our real interests, so long it will be looked up to, and obeyed. If it is to be undetermined it will be by the abuse of Executive patronage, and not by the substitution of the principle of selection for that of election, as applied to that House, (hear, hear). In maintaining the independence of the judges, and reserving their appointment to the National Government. I also believe this Union Act to be wisely framed; and its establishment a cause of congratulation to all the Provinces. Speaking the other night of its imputed or imagined defects, an honourable member said, "it was only an Act of Parliament!" So I will take leave to remind him are the Bill of Rights, and the Act of Succession both included for us, in this Act; but they are fundamental acts and parts of the British Constitution, and no one as yet has argued that they belong to the same class, as the ordinary Statutes of the realm. They are looked upon, to use Lord Chatham's words, as "the Scriptures of the Constitution;" while other ordinances of Parliament are as the writings of particular commentators, open to revision and correction (hear, hear). But, sir, I will go farther than the fitness of the time, the constitutionality and circumspection of the change, and the excellence of the Act; I affirmed this, that in establishing a second Constitutional Government on this continent, we are rendering an unpurchasable service to the cause of civil and religious liberty everywhere. I say a second Constitutional Government, for I admit that of Washington to be the first, and I suppose we must leave Mexico at present out of the account, not only of constitutional, but of civilized governments. What is it to establish such a second government in America? It is, in my humble opinion, to provide all men with an opportunity of comparison, and a means of choice between two systems—the British representative system of free government, and the American, or Democratic system. It is to give the third generation of the 19th century an opportunity to observe the institutions of our

common ancestors adapted to our Canadian circumstances, side by side with the institutions of Anglo-American invention, in the last years of the last century. It is to put side by side in this new arena, filled with eager spectators, the masterpieces of Alfred and Edward I; of Bacon, Somers, and Chatham, with the masterpieces of Washington, Hamilton, Jefferson, Madison, and Marshall; it is to compare an ancient text of freedom, enriched with the commentaries of Hall, Burke, Mansfield, and Mackintosh, with a modern text elucidated by Webster and Storey and Calhoun. They have no cause to be ashamed of their political progenitors, neither have we (hear, hear); and with all possible admiration for the age that produced the American constitution, and the illustrious men who adopted it, I hope we live in a better century than they did (hear, hear). This century, as compared with the 18th may be called a religious century; there is no Bolingbroke possible now "to patronise Providence;" no Voltaire to argue "that Christ was no charmer;" no Lichtenberg to anticipate the day when "the belief in God would be like a nursery tale;" the skeptical method of Descartes is not, thank God, the philosophical gospel of the age. Though the Republican Fathers were many of them sincerely religious men, yet many others, such as Jefferson and Franklin, were professed skeptics; and the philosophy of doubt, breaking off all traditions, and pretending that each man should start afresh on his own consciousness, acknowledging nothing he could not prove, was too congenial to the epoch and its work, not to be acquiesced in by the majority. Rationalism lies at the root of Republicanism; faith and reverence have prepared the deeper and better foundations of our form of Government; and until faith and reverence fail from our hearts, or those of our children, I have no fear that this, our Constitution, will fail. (Applause.) I come now, sir, to refer lastly, to what gives the completion of character to this work, the clause affirming the sovereign rights of Her Majesty and her successors, over British America. These clauses, declaring the Executive power to reside with the Queen, to be exercised by and with the advice of Her Privy Council for Canada; declaring the sovereign to be Commander-in-Chief of all the land and sea forces of this country; declaring the Queen the first estate of this Parliament; all these are merely declaratory clauses, repeating and renewing old maxims and arrangements. What is remarkable, however, is that whereas simi-

lar declaratory clauses are found in the Quebec Act, and the Union Act of 1840, they were both statutes framed in England exclusively, while the clauses, and all the remainder, were drafted and proposed by Colonists only. It is remarkable that a hundred years after the Stamp Act and Tea Tax; ninety years after the Declaration of Independence; nearly half a century after the promulgation of "the Monroe Doctrine"; the representatives of these Provinces should have taken upon themselves, so solemnly to re-assert as fundamental constitutional propositions, the sovereignty of the English Crown, over all our territory. (Applause.) What was done in this way in 1840, and in 1799, was done by others; but these declaratory clauses are our own work. I do not say that we are free to take any other course; I do not pretend that we could have raised, even if we would, the question of Sovereignty, in 1864 or in 1867; I only speak of the cardinal fact as I find it, that we have here, by our own act, selected the monarchical form of Government for ourselves and for our children; that for them and for ourselves, we have entered into this solemn compact to uphold the constitutional monarchy in this country; and that the Queen, and her Imperial Parliament and Government, have, on their part, by the passage of this Bill with these provisions, with equal solemnity, constituted themselves parties to this compact and agreement. (Hear, hear.) I do not desire, sir, to dwell at present, on all the corollaries and consequences likely to flow from this formal and solemn establishment of monarchy on this Continent, by the voluntary act of four millions of its inhabitants, but this is the path which by this Act, we have voluntarily chosen to enter—by this path, if we are not to abandon it, we are to journey on into the future, and whither it leads there we must follow. Sir, for one, I can truly say, that I saw and felt all along the solemnity of the selection we were called upon to make, but I never doubted, no not for one instant, that we had decided well in choosing to affirm so unmistakably as we have done the principles of Constitutional and responsible monarchy, for these Provinces. I am fully aware of the intense propagandist force which resides in the democratic idea. I know there are democratic fanatics who damn all other sects in politics, but their own; but looking back to the venerable centuries of Christian civilization which have preceded us, I am not taught, that it is best for the people, that the headship of the State should be frequently elective. Our Republican

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neighbours may prefer their own institutions as much as pleases them; but at all events, they must allow us to have a preference also, even though it should not quite coincide with their own. (Hear, hear.) We can honour and reverence their illustrious Martyr President, who fell a victim to his duties; but they must permit us also, to reserve some of our admiration and sympathy, for the Martyr of Queretaro, as well as the Martyr of Mexico: for that gallant gentleman, a true Prince, the worthiest to rule that Mexico had ever seen, but of whom Mexico was not worthy: that cruelly murdered Prince, whose effigy the House of Hapsburg may be proud to raise in long procession of the Illustrious Princes, his ancestors! Sir, I certainly cannot agree with the honourable member (Mr. Howe) that the time or the means chosen, ought to subject us to the displeasure of our Republican neighbours. This Union project is a very old one—as old as the country, and though hastened by recent events among them and among ourselves, it certainly dates long beyond the firing by Beauregard on Fort Sumter. No question of Sovereignty was raised by us; we merely embodied and re-affirmed a power that already existed, and which the Republic always recognized as existing in North America. If we had sought to plant a despotism by their side—without representative institutions—without securing the common rights of free men, sprung from the same source as their own; then, indeed, they might have cause for suspicion and displeasure. As it is I deny that we have given them any such cause, and I submit that such an argument, or assertion ought not to be advanced on the floor of a Canadian Parliament. (Hear, hear.) The honourable member opposite (Mr. Howe) also bestowed a good deal of his ready ridicule on the expression so often used in His Excellency's Speech—of "a new nationality." He was not precise in stating his objections to the use of that expression; but I inferred that he thought it premature as to time, and inconsistent with the continuance of the Imperial connection. He talked of walking upon stilts, and having "the stilts knocked from under us," as if our increased stature as a people in 1867, was a forced and artificial increase. I need not surely remind the honourable member, that in the year 1800 including Newfoundland and Prince Edward Island, with the British mainland we were less than 400,000 souls altogether; and when the Sydenham Union was carried, about two millions, while we are now, including the same Provinces, fully 4,000,000. (Hear,

hear.) These living millions are stilts, and we are vain enough to think we can stand on them. In 1790, the United States commenced with a total population of 3,900,000 souls, but they had, it is true, no gigantic native neighbours on their flanks; still they had the power of England on this side, of Spain in the Floridas, and of France in Louisiana. They began modestly and moderately, and they have advanced by degrees, in their "new nationality". I ask the honourable gentleman this question—if he does not look forward to a new nationality here, in these Provinces, to what does he look forward? Surely he must see that a population which increased in sixty years, a hundred fold, cannot be reckoned upon as a stationary quantity? With some nations the best ambition is to keep what they have got; but these are nations of fixed population and full boundaries. Extending as we are in space—increasing in number—improving in intercourse—we cannot stand still politically, even if we tried. (Hear, hear.) But the honourable member and his followers seem to have some confused notion in their heads, that a new nation cannot exist within the Empire, consistently with the Imperial connection. Sir, I don't know where they got such a notion, but it is a very childish one, and contrary to all experience. The Federal principle is precisely adopted to meet a difficulty of that kind, and has for many centuries met it successfully. In the German Empire there never was any difficulty as to the simple existence of separate nationalities and kingdoms; in the Spanish Empire, so long as its sovereigns respected the rights and liberties of the component parts, there was no difficulty of holding together the kingdoms of the Netherlands, of Aragon, and Naples; in the Austrian Empire, when the rights of the ancient kingdom of Hungary were respected the kingdom was in fact, the mainstay of the Empire. In our own day, we have in Hindostan an Empire within an Empire, so constituted expressly on the ground of strengthening the Imperial connection by the wisest statesmen, our contemporaries. So far, therefore, as to that childish and foolish notion of incompatibility. But the honourable member will not allow, that even with our four millions, we have men enough to start in the onerous career of a new nationality. What amount of population does he suppose then to be necessary to such a start? For colonies, as colonies, to get together and keep together, four millions of inhabitants is no small achievement, and if we have not increased more largely by immigration of

late years than we have—if our present population is 80 per cent native born to 20 per cent born abroad—I will tell the honourable member why we have not attracted and retained more people, from the other side of the Atlantic. We have not attracted more people, because we have not made our country attractive; because we are not known as a nation abroad; because these isolated Provinces did not impress the imagination of the emigrating classes. Who in the byeways of Germany, or even of Britain, knew anything of Canada, up to the other day? In those hives of human labour, they knew only one country—America—and one seaport—New York. But once give your Provinces united the aspect of Empire, make them a power and a name, and the reputation and credit of the Dominion will be our best immigration agents abroad. (Hear, hear.) As to our inability to stand alone, with the numbers we have, I beg to observe, sir, that in my opinion, it depends very much on our unanimity or division. No power on earth can take forcible possession of this country, if we are united as one man, in its defence. (Applause.) No population that can be stirred up against us, can put a hostile four millions, face to face with us on our own soil. If every man, woman and child in Canada, is imbued with the spirit which enabled Switzerland to hold her own against the Austrian Empire, and Spain in her decline to cast out Napoleon in his vigour, we will be safe enough, within our rivers and rapids in summer, and our snowed up roads and freezing sk'es in winter. (Hear, hear.) We complain sometimes of our rigorous winters, but there is this compensation at least, that no invading force that bivouacked out for one genuine Canadian night, would ever answer to the call of the long roll again. (Hear, hear.) My own views on the subject of defence are pretty well known, and when my honourable friend (Mr. Cartier) brings down his measure, if the House desires to hear them, I shall be happy to meet its wishes: but I will now only say this, that I hope to see the military spirit of our population encouraged in every way; that I hope to see rifle matches and tournaments become as familiar municipal institutions as town meetings, of county agricultural fairs. (Applause.) I cannot, for one, agree that the best way to make ourselves respected abroad, to secure impunity from attack, is to depreciate the sources of our strength; but rather to rely upon and make the most of what Lord Bacon, in his "true greatness of Britain," considers a main element of a nation's strength, "its

breed of men." By the breed of men that bring a nation safely through its destinies, Lord Bacon must have meant—for he did not live to finish out that essay—not only the muscle of the men, their bodily hardihood, but also their morale—their courage, docility, and capacity of combination—the wisdom of the few, to command, and the wisdom of the many, to co-operate I do not disparage the power of numbers; I do not underrate the power of wealth; but above both I place the safety of any State, great or small, in the spirit and unity of its inhabitants. Now, it is in the power of our public men to depress or raise the public spirit; to strengthen or weaken the unity of the Commonwealth; and it is because the election appeals made in Nova Scotia have tended to beggar and belittle our public affairs; to estrange and render suspicious and skeptical the people; it is on these grounds that I think their authors most censurable of all, the many respects in which they are censurable. Those who have taken that line of politics have certainly not helped to elevate the minds of our population, either the constituent many, or the representative few. I need not illustrate this position by reciting instances of the many countries which have been undermined in their courage or character, conquered within before they were conquered without;—to name Greece is enough:

"Enough! no foreign foe could quell  
Thy soul, till from itself it fell!  
Yes! self-abasement paved the way,  
For villain bonds and despot sway!"

The policy of self-abasement I cannot see in the light of policy at all. View it how we may; turn it round and round; hang it in any light you like, it will not wear the linaments of prudence, or fortitude, or patriotism. I trust this first Parliament of the Dominion will stamp its reprobation upon every mention of such a policy; and that while avoiding all bravado on the one hand, as unbecoming men in our position, we will in this place endeavour to elevate, and not to depress, the public spirit of the country (hear, hear). The honourable member (Mr. Howe), said the other night he would not take back anything he had said as to the extent of these Provinces, he leaves us, unbridged, our square miles; and I trust also he will leave us unshaken, what is more essential, the faith of our people in their own future, the faith of every man, Canadian in Canada, and of every Province in its sister Province (hear, hear). This faith wrongs no one; burdens no one; menaces no one; dishonours no one; and as it was said of

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old, faith moves mountains, so I venture reverently to express my own belief, that if the difficulties of our future as a Dominion, were (which I cannot yet see) as high as the peaks of Etna or Tolima, or Illimani, yet that the pure patriotic faith of an united people would be all sufficient to overcome, and triumph over all such difficulties. The honourable gentleman, after speaking for about two hours and a-half, resumed his seat amid the most enthusiastic plaudits, which lasted for some time.

Mr. Anglin said that the members from his province thought it better under the circumstances to let these resolutions pass without discussion on their part. Had the member for Hants moved the amendment of which he first spoke they might have taken a different course, for they deeply sympathized with the representatives from Nova Scotia. He was even surprised to hear representatives from that Province discuss the details of the scheme as far as they did; for he thought they came here to deny the competency of this tribunal. But although he and his friends had remained quiet, it seemed they must have this New Brunswick question dragged into the House. The member for Montreal West had declared that the scheme was without stain or reproach. If he (Mr. Anglin) must express his opinion he must regard the scheme as the offspring of corruption, coercion, and wrong. (Hear, hear). It was by these means it was carried in his Province, and he was here to justify his words. He proceeded to give a brief outline of the whole transaction in his Province, contending that the scheme was at first surrounded with secrecy. The question had never seriously occupied attention in the Maritime Provinces. He traced various conferences held, alleging that as (Mr. Palmer, one of the delegates, stated) considerable difference of opinion existed at Quebec until one day a piece of paper was quietly passed across the table, after which everything was made pleasant. The Irish people of the Maritime Provinces revolted against the idea of Union. Its terms were kept secret until published by Mr. Palmer, when material differences were found in different versions. The people of New Brunswick were told the scheme was to relieve them of taxation. He only hoped all his opposition on this point would prove to have been groundless. They were told that Canada had no water power, and that their Province would become a great manufacturing centre for the Confederation. He adverted at some length to the pressure from the Colonial Office and



other means which he alleged had been used to carry the scheme, and asked whether these were not of a character to destroy the object they were employed to accomplish. He mentioned the Fenian raid at Campobello, and said it was singular the Government had time to make all the preparations they did, after receiving information before the first Fenian made his appearance. He indignantly denied any sympathy for Fenianism in the Province, it being one of the arguments of the opposition that that movement was employed to further Confederation; that Killian had disappeared just at that time—why and where perhaps Government best knew. He understood that at one time some business relation existed between Killian and Mr. McGee, and some people entertained the possible suspicion that the movement on the New Brunswick frontier was the result of some common purpose of these two men. He (Mr. Anglin) was inclined to believe this, and, at any rate, there was something remarkable in the conduct of these men at that time, described the influences employed to oust the Smith Government—influences which he characterized as discreditable, and supplant it by the Tilley Government, which went to the country on cry of loyalty and managed to make the people believe that in voting for Confederation they voted for Queen and country, while voting opposition they gave countenance to Fenianism and treason. These tactics prevailed in border counties, and counties along the river Saint John; but in the city of Saint John, where the Fenian alarm was not so great, money was unblushingly used to carry elections. As much as \$50,000, he was told, had been spent that canvass. He then alluded to Mr. McGee's charges about Fenianism in Montreal, and branded them as atrocious and disgraceful for any man to make against a large and respectable body of his countrymen. It was disgraceful that the honourable gentleman should cast a burning stigma on the Irishmen of Montreal for the sake of building himself up; and, considering the antecedents of that honourable member, he was the last man who should endeavour to fasten such unfounded charges upon his countrymen. (Hear, hear). He complained that one of the first effects of Confederation in his Province was the commission of an act of proscription, against which he, as a Catholic representative of that Province, was here to utter an earnest and solemn protest. Although the Catholic body of New Brunswick numbered one-third the whole population, not one Catholic Senator had been appointed out of twelve; although,

according to numbers, Catholics would be entitled to four, and at least three. Though for reasons stated he could not join in the congratulations contained in the address; it would be the proudest day of his life, if at some future time he could stand on the platform in his own Province, to which he owed his all, and declare he had been deceived, and that this Confederation had fulfilled the fondest, highest, warmest hopes of those who had advocated it. (Applause).

**Hon. Mr. Tilley** replied at some length, and commented on the inconsistency of the honourable member, accepting a measure which he charged had been carried by fraud and corruption. He denied there had been any injustice to the Catholics of New Brunswick, and pointed out the fact that his colleague who had run on the same ticket with him (Mr. Tilley) was an Irish Roman Catholic who supported Confederation, and that no Catholic Senator had been selected for Ontario, but no complaint had been urged on that account against the Reform and Conservative parties that had selected them. In New Brunswick they had to take of the twelve ablest men from both sides of the Legislative Council, and it so happened none of them was Catholic. There was, however, he need scarcely say, no intention of injustice to any class of the population. (Hear, hear). He challenged the statements of the honourable member that the elections in New Brunswick had been carried through Fenian excitement, intrigue and deception. He admitted the union party had been routed in 1865, and that it had been materially aided last year by Fenian demonstrations on the frontier; but how did the honourable member opposite explain the elections of a few months ago, when the Province, by an overwhelming majority, reaffirmed its former verdict in favour of Confederation. Those elections proved New Brunswick thoroughly in favour of Union, for twelve Unionists had been returned by large majorities against three who were ready to accept the situation. In regard to another complaint that the Bank of Montreal was drawing gold for the New Brunswick Banks, and thus embarrassing trade at Saint John, he said he was satisfied that this accumulation of specie, if it existed, could be only temporary. One thing was certain—the demands on the Dominion by the local Government of New Brunswick as well as Nova Scotia, thus far largely exceeded the revenue derived from those sources, and he (Mr. Tilley) would be quite willing, if the law

permitted, to hand over the whole revenues of those Provinces for the next two years to the honourable gentlemen opposite, if they would assume the responsibilities of the Dominion in regard to those Provinces under the Confederation Act.

**Hon. Mr. Smith** deprecated the revival of electioneering contests which had taken place in New Brunswick. He was deeply interested in the country—his all was in it—and he would do his best to carry out the constitution, notwithstanding he believed it had been carried by corruption and fraud. He also gave his version of the manner in which the question had been treated in his Province. The last election was carried by a no-Popery cry raised by the Minister of Customs. The speaker then explained his negotiations with the Lieutenant-Governor in regard to the question of union, which he had contended should be submitted to the people, amid cries of "question."

**Hon. Mr. Johnson** said in reference to an appeal to the people, that it was a thing unknown in England for a ministry that could carry its measures to dissolve and appeal to the people. If that were to be the system, parliament might just as well be abolished, and every question be decided upon by the people direct. He denied that the last election was carried by the no-Popery cry on the part of the Confederate party; and the cry of Fenianism at a former election, of which complaint had been made, had no part in the last election.

**Hon. Mr. McKeagney** said:—Late as is the hour, Mr. Speaker, and much as I desire to avoid occupying the time of this House with any remarks of mine on the subject which has already become exhausted, I feel it my duty, nevertheless, in the interest of my constituents, in behalf of the Province of Nova Scotia, to enter my protest, my emphatical protest, against this Confederation scheme, because I think it unjust to Nova Scotia, and more especially do I protest against the manner—the very improper manner—in which it has been consummated. The friends of the measure have time and again attempted to justify the action of the Assembly by the fact, the bald fact, that they had the power to change the constitution. I deny the position in the sense that it can be done with beneficial results or for any practical purpose. Do we not know, sir, that theory and practice are very different things? Supposing, for the sake of argument, that Parliament in the plenitude

[Mr. Tilley (Saint John City)]

of its power does undertake to consummate an Act (a Constitutional Act let it be called) at variance with the wishes of the people, will there be anything gained by such a course? Nothing whatever, and the statesman who pushes his measures in advance of the public sentiment evinces in my opinion neither tact nor judgment, and must soon be borne down by the popular wave. But I deny that anything can be found in Parliamentary history to justify the mode in which Confederation has been accomplished in Nova Scotia. It is true, as a general proposition, that Parliament is supreme, but in the interpretation of this rule we must enquire what are the ordinary functions of the Legislative body; is it not to make and repeal laws for the good of the people whom it represents? Was it ever understood in any way—was there any compact or agreement either expressed or implied between the people of Nova Scotia and their representatives, that travelling wholly out of and beyond the track heretofore pursued by their predecessors, they were at their mere pleasure to sweep away our Constitution, and hand over our Revenues to Canada, or any other power on earth. The idea is preposterous in the extreme! Have we the example in history of any people being annexed to another without their consent? I can find none, except in the instance of a country conquered by force of arms. The case of the union of Ireland cannot be referred to as a precedent to justify the measure, as that Act has always been justly regarded as a foul blot on the Statute book, and has given rise to discontent and heart-burnings, which break out occasionally like a running sore in the bosom of that unhappy land. Who can predict then what evils may yet grow out of this act of tyranny, perpetrated upon the people of a loyal and prosperous Province? We must also look at the manner of carrying the measure in our Legislature. I make no direct charge against any one, but certainly the complexion of the transaction is more than suspicious. On ordinary occasions of less moment than this, the policy to be pursued has been enunciated in the Governor's Speech. Parliament met, and not a word was said about Confederation. Thus were the people taken wholly by surprise, nor had they the opportunity of remonstrating against the Act until it was pushed through the Legislature. Thus was it conceived in secrecy, carried through the House with indecent haste, and accomplished amid the jeers, taunts, and abuse of the Confederation party, who accused their opponents with disloyalty and annexation proclivities. Is it any wonder

then, that one deep feeling of indignation should pervade the people of Nova Scotia at this gross wrong and injustice? In the name of Nova Scotia then, and more particularly in the name of my own constituents, do I protest against this Act of Union. I regard the means by which it has been brought about as unjust to the people, and the measure itself as unfair in its details, and injurious to their interests. Let us pause here, Mr. Speaker, and survey the position. Confederation, it is true, has become a fact accomplished. It has become the law of the land. What is to be done then to get rid of it? Do I accept the situation? No, most emphatically no; I do not accept the situation. Am I a Repealer it may be asked. I answer yes! I am a Repealer. But how is repeal to be effected? What are the best means to be employed to accomplish this desirable consummation? Now, to accomplish repeal we must enlist on one side the sympathies and legislative action of the Lords and Commons of Great Britain. I do not think, sir, that the opportune moment has arrived for obtaining this cooperation. I think the best way to accomplish repeal is to let the Act of Union prove itself by its fruits. I much fear that this Confederation fruit will be bitter to the taste and unsightly to the eye of Nova Scotia. Well, all the better for our purpose. We will then have a case to present to the Parliament of England, a case which cannot be resisted. We can address the people of England in this language: You forced this Union upon us against our will; in vain have we remonstrated, in vain have we petitioned against its acceptance. You told us it was a good measure; the nobility of England told us so. Many of our people, some of them of unquestionable talent and worth, have also given it as their opinion that Union is good. Well, out of deference to these opinions, we have waited patiently in order to test the truth of these predictions by the working of the system, by the actual logic of events, and behold its fruit, its bitter fruit! I would point to Nova Scotia bleeding and covered with wounds from the practical working of the system;—to her children suffering from depression, in their circumstances; and with boldness and confidence would I then say, Look! see what Confederation has done, in the name of justice, in the name of right, in the name of fair play, that familiar expression so well known to Englishmen, and which finds a ready response in the great heart of England, I say loose us, and let us go! Nor would the appeal, I think, be in vain, at all events it could be made with a greater prospect of success than at present, when hasty

action for Repeal without giving the measure any trial whatever, would I fear be ascribed to prejudice and passion on our part. For these reasons, and because I do not desire to now mar the effect of the Repeal movement, I think it best for the present to suspend our action and in the interest of Nova Scotia to enter as I now do, my most solemn protest against Confederation in the mode and manner of its accomplishment, and reserve to my constituents the right of agitating for its Repeal, whenever they may think proper to do so. I will sharpen the sword of opposition and put it in the scabbard for the present, but not to sleep. Confederation is now upon its trial and by its fruits shall it be judged and estimated by the people of Cape Breton. If contrary to expectation it should after all prove to be for our benefit, we will then indeed hail it as a boon and readily assist in raising up the plant to a majestic tree, but on the other hand, should its fruits prove unsightly to the eye and bitter to the taste, the tocsin of Repeal shall be sounded with clarion notes throughout the beautiful, picturesque, and fertile plains of Cape Breton. Then shall I draw the sword of Repeal; wield it in a Constitutional manner, and never shall we rest until our deliverance has been achieved, until this forced Union shall be severed by the strong will of a suffering but united people.

Sir John A. Macdonald then moved in the usual way the formal motion appointing a select committee to draft an address to His Excellency. Carried.

#### NOTICES OF MOTION

**Mr. Robitaille**—Monday next. —Address for copies of reports and correspondence relating to Intercolonial Railway since Quebec conference.

**Mr. Sproat**—Address for returns of surveys and reports referring to harbours on east coast of Lake Huron.

**Mr. Mills**—Enquiry of Ministry whether it was their intention to make appropriations to improve navigation on Rivers Thames and Sydenham.

**Mr. White**—Address for amount of tolls collected on Burlington Canal from April 1864 to July 1867 inclusive.

**Mr. Smith**—Enquiry of Ministry whether it was their intention to introduce a measure establishing Court of Repeal.



# HOUSE OF COMMONS

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Friday, November 15, 1867

## RULES AND REGULATIONS

**Sir John A. Macdonald** moved the appointment of a committee to form rules and regulations for the government of the House, to consist of Messrs. Cartier, J. S. Macdonald, Campbell, Dunkin, Dorion, Gray and the mover. Carried.

## KAMOURASKA ELECTION

**Sir John A. Macdonald** moved that the Clerk of the Crown in Chancery do attend this House on Monday next, with the return of the last election of the County of Kamouraska, together with the poll books, if any there be, and all other papers, letters and documents which may have been transmitted to him by the Returning Officer for the said county. Carried.

## STANDING COMMITTEES

**Sir John A. Macdonald** moved that a committee be appointed to strike the select Standing Committees, to consist of Messrs. Cartier, Tilley, McDougall, Langevin, Howe, J. S. Macdonald, Dorion, Holton, Fisher, Mackenzie, Walsh, Morris, Smith, Chauveau, Dufresne, and the mover. Carried.

## NOTICES OF MOTION

The following Government notices of motion were given for Tuesday next:—

**Sir J. A. Macdonald**—Bill respecting interpretation and construction of statutes.

Also, resolutions respecting the indemnity of members, and the salaries of the Speakers of both Houses.

**Hon. Mr. Langevin**—Bill respecting the department of the Secretary of State for Canada.

**Hon. Mr. McDougall**—Bill respecting the public works of the Dominion.

**Hon. Mr. Tilley**—Bill relating to the Customs Department.

## CREATION OF A PUBLIC STOCK

**Mr. Morris** enquired whether the Government have it in contemplation to introduce a measure for the creation of a public stock, in which it should be legal to invest trust funds.

**Sir J. A. Macdonald** replied that the Government recognized the importance of the subject, and had it under consideration.

## GOVERNMENT SAVINGS BANKS

In reply to Hon. J. H. Cameron,

**Sir J. A. Macdonald**, stated that it was the intention of the Government to submit to Parliament during the present session plan for Government savings banks.

## A MINT

In reply to Mr. Dufresne,

**Sir J. A. Macdonald** said the Provincial Government had no power to establish a mint in the Dominion.

## CANAL ENLARGEMENT

**Mr. Masson** enquired whether the Government intended to introduce a measure for the enlargement of the Welland and St. Lawrence Canals.

**Hon. Mr. McDougall** said the Government fully recognized the great importance of this subject; but did not think the finances of the Dominion would justify such a measure at present.

## POSTAGE

**Mr. Young** enquired whether the Government intended to take steps to reduce the rates of ocean and inland postage, and to abolish newspaper postage.

**Sir J. A. Macdonald** replied that the Government was considering a measure which would shortly be submitted to Parliament, and would speak for itself.

### VALUE OF SILVER COIN

**Mr. Morrison** inquired whether the Government intended to introduce a measure for the regulation of the value of foreign silver coinage as part of the currency of the Dominion.

**Sir John A. Macdonald** said the Government would introduce a Bill on currency which would include the particular subject mentioned.

### MOVING FOR RETURNS

**Mr. Mackenzie** moved an address for a return, showing the distribution of sums paid out of the public chest to defray the expenses of the elections for this House. Carried.

**Mr. Mackenzie** moved an address for a return of the votes polled in each electoral division during the late election. Carried.

**Mr. Lawson** moved for a number of returns respecting the sale of the Hamilton and Port Dover plank road. Carried.

**Hon. Mr. Holton** moved for an address for copies of all agreements and correspondence between the Government and the late Province of Canada and the Bank of Montreal, having reference to the provisions of the act of 1866, to provide for the issue of provincial notes; and also all correspondence since 1st August, 1866, between the Government of the late Province of Canada as well as that of the Dominion of Canada with the Bank of Montreal respecting the mode of conducting the public accounts, and the terms on which it should continue to be held by the bank. Carried.

**Mr. Oliver** moved for returns respecting the Inland Custom House offices of the Dominion, the amount of money collected, the expenses, etc. Carried.

**Mr. Mackenzie**, in the absence of Mr. Blake, moved for copies of all warrants, orders, records, etc. in relation to the extradition of Lamirande. Carried.

### UNION OF ALL THE BRITISH NORTH AMERICAN PROVINCES.

**Mr. Mackenzie** moved an address for copies of all correspondence held with the Governments of the Colonies of Prince Edward Island, Newfoundland and British Co-

lumbia, and with the Imperial Government on the question of uniting these colonies and the unorganized territory in the North-West with the Dominion of Canada.

**Sir John A. Macdonald** said the correspondence on these very important subjects was in such a state that he did not think it expedient to have it brought down at present.

**Mr. Mackenzie** said he had moved this because, during the elections, he had had the pleasure of hearing a Minister of the Crown declare publicly that the correspondence with some of these colonies was in such a state of forwardness that the question of a union with some of them was in all likelihood a question of months if not of weeks.

**Sir John A. Macdonald** was understood to say that he hoped this result would very soon be realized with reference to some of the colonies, and the motion might be repeated at some future day, but at present it was not for the interest of the country that the correspondence should be brought down.

The motion was accordingly withdrawn.

### TITLES CONFERRED ON MINISTERS

**Mr. Parker**, seconded by Mr. White moved an address to His Excellency that he will be pleased to lay before the House copies of any representations addressed to His Excellency by members of this House respecting the marks of Royal favour which Her Majesty had been pleased to confer upon them, and of all despatches on the same subject to or from Her Majesty's principal Secretary of State for the Colonies.

**Sir John A. Macdonald** said he was afraid he could not consent to the passage of this address; any representations that might have been made to His Excellency, and any despatches addressed to the Colonial Secretary were addressed to the Governor General in his Imperial capacity and had reference to a subject with which the House had no concern. The conferring of Royal favour was an act of Her Majesty in her Imperial position, and any action of the Governor-General in the matter was in his capacity as an Imperial officer.

**Dr. Parker** said he had not had time to look up authorities, but he had found one case in which the granting of those honours by the Crown gave dissatisfaction and was made the subject of discussion in Parliament.

**Mr. Holton** said he took it that these honours were conferred by the Crown for services to the people of this country represented in this House of Commons, and if he was correct in that postulate, he maintained that the representatives of the people in this House had an interest in a subject which had been made matter of representation and remonstrance by two leading members of the House and in the Government, and they were entitled to the production of these papers. The Minister of Militia had no personal or private relations either with the Governor-General or the Duke of Buckingham, or with Her Majesty the Queen. It was not in their private capacity that Mr. Cartier and the late Minister of Finance addressed these remonstrances, but in their capacity of public men, representatives of the people, and surely for their own vindication as public men, they ought to have this correspondence submitted to Parliament. He would ask the learned Knight to reconsider the question of granting the papers. If he persisted in his refusal he (Mr. Holton) might then have some remarks to make on this subject.

**Sir John A. Macdonald** said if the member for Chateauguay would examine the question he would find that there was not an English precedent for the production of the papers referred to. There was one case in which an Address was passed, asking Her Majesty to confer certain marks of her favour on two officers who had distinguished themselves in the Crimea. The Government yielded to the motion, but guarded against its being accepted as a precedent. In the last case which came before the English Parliament of this character, there was a complaint that there had been an improper distribution of honours among those who had distinguished themselves during the Indian mutiny. Lord Palmerston then laid down the doctrine that it was a question entirely between the fountain of honour and the recipients. The Commons might fairly ask on whose advice any honours bestowed by Her Majesty were conferred—as, for instance, in the extreme case of Her Majesty being ill, and advised to confer honour on a person altogether unworthy of the distinction, to such an extent that it would operate as a degradation of the honour. But here the case was entirely different, and if the Address were passed the Governor-General, as an Imperial Officer, might refuse to grant it without instructions from England.

**Mr. Chauveau** said that Hon. Mr. Cartier's conduct in refusing decorations, implying a difference between his services and those of his colleagues, had been approved by all Lower Canada. The circumstances of this offer were an insult for himself and the nationality he represents. More than once Lower Canadians preserved English possessions on that continent, and when they had made ample sacrifice and given the best proofs of patriotism and good-will in Confederation, these services ought not to have been put aside. It was a lesson given, and he hoped it would be useful.

**Mr. White** said that in view of the principle enunciated by the leader of the Government, he asked leave to withdraw his name as a seconder of the motion.

**Mr. Howe** said that doctrine was what we had been in the habit of recognizing, but we were now a nation, and it was a matter for consideration whether honours conferred on our public men might not give offence to this House, and therefore it appeared to him that we ought to have the papers. He had always been in favour of having a just field open to our public men; but he would say to the House that we must now deal with this subject as a nation—as an independent Legislature representing four millions of people. In the case of the honourable and learned knight at the head of the Government, he admitted that the honour had been justly conferred; but we ought to know the principles on which these honours were awarded. Men might act unjustly and lose the confidence of this House, and yet be selected as worthy recipients by the Imperial Government. We were in a position to be laughed at every day in the year. The English people are very jealous of every matter of this kind, and he gathered from the remarks of the member for Quebec County (Mr. Chauveau) that he felt this matter of some importance. We knew certain Commissioners to Paris were not allowed to receive from the Emperor on that occasion the honours offered in recognition of universal friendship and of public services rendered on that occasion, without permission from their Sovereigns. Well, if the Sovereign was so jealous of any interference of a foreign nation, why should we not be so?

**Mr. Mackenzie** heartily sympathized with the Minister of Militia in the position in which he was placed in this matter. He recognized the valuable services of that honourable gentleman in procuring Confed-

eration. He knew that he brought his whole strength and the strength of his party to bear in doing a simple act of justice to the people of Ontario, and they would have been glad to have seen him receive the same recognition of his services as was extended to the honourable leader of the Government. He thought the House was entitled to these papers. With the correspondence before them, members would be able to judge more correctly of the motives of the Imperial Government, and he saw no reason why the motion should not be granted.

**Mr. Parker** felt that there was no public man in the country to whom they were more indebted than to the Minister of Militia, (Hon. Mr. Cartier). There was no public man who had so greatly jeopardized his position in accomplishing Confederation, and he was entitled to the very highest honour that could properly be conferred. Whoever was responsible, an invidious distinction has been made.

**Hon. John Hillyard Cameron** said that if any representation were made by this Government in regard to these honours, the House had a right to have them; but the question was, were any such representations made? If not, it would be a bad precedent in view of the decisions of the Imperial Parliament in similar cases, to grant the motion. He also paid a high tribute to the services of Mr. Cartier.

**Mr. Morris** said there was a class of hereditary distinctions not adapted to the circumstances of this country; but there was another class awarded for distinguished services which might be fairly conferred on public men in this Dominion; but he considered the leader of the Government right in stating that it would be a great inconvenience should this motion be adopted. The principle which controlled this question was that the Crown was the fountain of honour, and the position taken in England was that this question would lead to the canvassing of individual members, and that thereby great difficulties would be caused. But while he said this, he thought that if there was one man more than another entitled to a recognition of his services, it was the Minister of Militia.

**Mr. Dunkin** was not satisfied with the reasons given by the Minister of Justice for the motion not passing. The proposition that we had nothing to do with the matter was erroneous. The word colonies applies to us no longer. We have been told that we are a nationality, and that we have adopted a word

[Mr. Mackenzie (Lambton)]

almost signifying as much, and without doing so exactly—that we had a Parliament, that the Queen was head of that Parliament, and whatever the Queen does in public matters unless prejudicial to the public interests, was something into which we have a right to inquire. As regards the Minister of Militia, strongly as he had been opposed to him on the question of Confederation, he could bear testimony to the valuable services he had rendered.

**Sir John A. Macdonald** agreed that if any representations had been made by our Government to the Imperial Government, and any honours were conferred in consequence of such representations Ministers were responsible for them; but there were no such representations. The honours were conferred without any previous notice—therefore, the only object of this motion would be to ascertain by whose advice these honours were conferred. But colonial ministers or the members of the Imperial Government were not responsible to this House. This Government in fact possessed no papers—those referred to having been sent to the Imperial Government. No one knew better than he did the distinguished services the Minister of Militia had rendered—and he (John A.) had no hesitation in saying that the proffered honour was wholly inadequate to the great services of that gentleman; and he could say further what was perhaps not generally known, that long ago that honourable gentleman could have obtained, and was in the way of obtaining, honours, not only of this, but of the hereditary class spoken of.

**Mr. Holton** thought that the real point raised by this motion had been lost sight of. Nobody proposed to censure the Imperial authorities—nobody proposed to call in question the action of the Crown itself in conferring honours on any of the subjects of the Crown, but what was proposed, as he took it, was to call in question the action of the prominent public men of this country—members of this house. In this matter they were not groping in the dark. As he said before, they know that two honourable gentlemen—the Minister of Militia and the Minister of Finance, did address formal remonstrances to the Imperial authorities. On this very subject if they mistook their position—if it were an improper thing to address such remonstrances to the Crown, surely they were responsible, and the House was entitled to know the reception these remonstrances received from the responsible advisers of the Crown in England.



He was astonished that the Minister of Militia, who did not look for pluck to defend himself, was not anxious to remove the suspicion which would inevitably result from the refusal of those papers, that he had received a snubbing at the hands of the Colonial Minister—that he was told he had no right to address such remonstrances to him. He (Mr. Holton) thought the Minister of Militia was the most concerned in having this motion granted. He had not the felicity to be very much in accord with the Minister of Militia on public matters, but when he saw the substance of a remonstrance communicated by himself, no doubt, to a friendly journal, he was inclined for once to applaud the course he took. He (Mr. Holton) should probably dissent as to some of the grounds on which the Minister of Militia based his remonstrances, but he did agree with him that the

distinction conferred by the title of C.B., instead of being an honorary one, was a degradation, when offered to a leading man in this country, whose services had been so many; that it was a distinction beneath the acceptance of any man who could command the respect and confidence of a constituency; but we were entitled to know, and this gentleman was interested in letting us know, whether his remonstrance was met by reproof, in common language, or by snubbing. He trusted such was not the fact; but such would be the inference if the papers were refused. The true point raised by this motion was as to the conduct of our own public men.

The motion was then withdrawn.

The House adjourned at 5 o'clock till Monday.

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# HOUSE OF COMMONS

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Monday, November 18, 1867

The Speaker took the Chair at three o'clock.

## THE CHIEF JUSTICE OF NOVA SCOTIA

Mr. Savary presented a petition from Nova Scotia, charging the Hon. W. Young, Chief Justice of that Province, with illegal conduct and other misdemeanours and praying that steps be taken for his removal from office.

## IMPROVEMENT OF NAVIGATION

Mr. Mills enquired whether it is the intention of Government to make any appropriation to repair the Rondeau Harbour, and to improve the navigation of the rivers Thames and Sydenham.

Hon. Mr. McDougall replied that no answer could be given to that question, as the Government was not yet in a position to say whether the works in question would be under the control of the General or Local Governments.

## COURT OF APPEAL FOR THE DOMINION

Hon. Mr. Smith enquired whether it is the intention of the Government to introduce during the present session, a measure establishing a Court of Appeal for the Dominion of Canada.

Sir John A. Macdonald said that whatever the Government might do before the session closed, it was not their intention to introduce such a measure during the early part of it.

## GOVERNMENT TELEGRAPHING

Mr. Walsh enquired whether it is the intention of the Government to introduce a measure for securing to the Government the possession of the various telegraph lines within the Dominion, and providing for the management of the same in connection with the postal system.

Sir John A. Macdonald said the Government, before introducing a measure, would wait to see the action of the English Government on the same subject.

## ASSIMILATION OF ELECTION LAWS

Mr. Magill enquired whether it is the intention of the Government in submitting a plan for the assimilation of the laws of the several Provinces of the Dominion respecting elections and the exercise of the franchise, to adhere to the terms of qualification for electors established by Clause 81, Chap. 51, Statutes of Canada, 29th and 30th Victoria, and to the repeal of sub-sections 1 and 2 of Chapter 6, Consolidated Statutes of Canada effected by the said clause of said Act of 1866?

Sir John A. Macdonald said that in assimilating the election laws, the Government would examine the qualifications of elections existing in all the provinces, and were not yet prepared to say whether they would maintain the qualifications now existing in Canada.

## ANNUAL DRILL

Mr. Pope enquired whether the volunteers are to have their sixteen days' annual drill this season, and if they do, when will they be required to commence their drill?

Hon. Mr. Cartier said that the Adjutant-General had placed in his hands a memorandum on this subject, which the Government were now considering.

## COMMITTEE ON BANKRUPTCY AND INSOLVENCY

Hon. Mr. Abbott moved the appointment of a committee to enquire into and report upon the nature and operation of laws of bankruptcy and insolvency now in force in the several Provinces of the Dominion—such committee to be composed of Messrs. Smith, Gray, Huntington, Irvine, Wood, Street, Casault, Crawford, Simard, Harrison, Workman, Campbell, Hugh McDonald, and the mover.

Mr. Fisher remarked that His Excellency's speech intimated that the Government would submit a measure on that subject. According to his ideas of Parliamentary Government, the responsibility of dealing with a subject of that kind should not be laid on a committee of the House when Government promised a measure.

**Sir John A. Macdonald** said there was no inconsistency between the statement in the speech that Government were prepared to introduce a Bill on bankruptcy, and the action of the member for Argenteuil in moving a committee to enquire and report on the working of the present bankruptcy law in Canada proper, and in the Lower Provinces—if there be any such Act there. The Committee might be of great service to the Government, as the Government could not otherwise get the information that would be laid before the committee. He might say that the Government were well satisfied on the whole with the working of the present bankruptcy law, which was the work of his honourable friend who made this motion, and of the Vice-Chancellor Mowat. To these gentlemen we were indebted for a common sense, practical measure. It was, however, of course, an experimental measure, and he was glad the honourable gentleman who made the motion was willing to devote his time this session to making these enquiries.

**Mr. Johnson** said that if the doctrine just laid down was to be followed out, every subject embraced in His Excellency's speech might be dealt with in the same way. He thought it would be very unfortunate to introduce such a system. Suppose the committee as a result of their enquiries, were indeed to bring in a report setting forth certain views; then if the Government introduced a measure different from that, they would be bound either to vote against the Government or to go in the face of their own report. He thought the course proposed was a very awkward one, and, if it was to be followed they might as well dispense altogether with the Governor's speech.

**Mr. Mackenzie** pointed out that in the motion as originally submitted there were on the Committee only two commercial men—Workman and Simard, and that it did not include a single member on his side of the House from Western Canada. He would suggest the addition of Mr. McGill and Mr. Blake to the Committee.

**Mr. Abbott** said he was quite willing these names should be added.

The motion, as thus amended, was agreed to.

#### THE SHERIFF OF HALTON'S CLAIMS

**Mr. White** moved for copies of accounts claimed to be due by the Government of the late Province of Upper Canada, to George

McKenzie, Sheriff of the County of Halton, and all correspondence relating to such Government. These claims extended over ten years, and it was understood they had been referred by the Auditor's Department and referred to the Crown lawyers. As there was a difference of opinion in the County of Halton with respect to the legality and justice of the charge, it was desirable that the correspondence should be made public.

**Sir John A. Macdonald** said that if the Government received the reports on payment and acquiesced in the reference, he did not see how anybody had anything to do with it; but he would look into the matter.

The motion accordingly was allowed to stand.

#### THE NORTH WEST TERRITORY

**Mr. Bodwell** moved an address for all papers and correspondence relating to claims of the Hudson's Bay Company over the north west territory, or to the acquisition of the Territory by the late Province of Canada or the Dominion.—Carried.

**Hon. Mr. McDougall** said there were certain documents in the correspondence which it might not be in the interest of the public service to bring down. Such papers, however, as could be made public would be sent down.

**Mr. Howe** said this was a subject of a very large character, and of great importance. The minister of Public Works seemed disposed to withhold certain papers. This might be right and proper, but he hoped the Government would not take any step towards the purchase of that territory without the authority of the House. He was under the impression that the Hudson's Bay Company might be bluffed off without our making an expensive purchase. They had feathered their nests for a very long time out of that territory, and now, in common decency, they ought to abandon it.

This motion was then agreed to.

#### BREWERIES AND DISTILLERIES

**Mr. Oliver** moved for a return of the quantity of beer manufactured, and the quantity of grain used in such manufacture in each brewery in the Province of Ontario.

**Sir John A. Macdonald** said there could be no objection to giving the information sought, provided the honourable gentleman did not insist on the names of the parties being given.

**Mr. Oliver** said his object was to ascertain the exact quantity of beer manufactured in each brewery, as there was a suspicion entertained that the breweries in the Province did not return one-fourth of the quantity manufactured—thus depriving the country of a large revenue.

**Sir John A. Macdonald** thought the honourable gentleman should go further and state on what reasonable grounds that suspicion was based. In England they were so very careful in such matters that not even a member of the government was allowed to know the income returned by the Rothschilds, Baring, etc. It was every man's interest to keep the knowledge of his business to himself.

**Mr. Holton** thought the distilleries should be included in the motion, in order that it might be seen what was the proportion between the grain received into these establishments and the product of grain in beer and spirits. It was a matter of notoriety that gross frauds were committed both in respect to beer and spirits, and the object of the motion was, he presumed, to get data for ascertaining the facts as to this, and not to attack particular establishments.

**Sir John A. Macdonald** said he would have no objection to give from each brewery and distillery, distinguished by numbers, the amount of grain received and amounts of excise paid.

**Mr. Mackenzie** thought a return of the nature indicated by the Minister of Justice would not answer the purpose. In a circular which had been addressed to the members by a firm in the West—Grant & Co., Hamilton—some extraordinary statements were made. They said that Mr. Brunel, the chief officer of excise, told them that the Government did not collect more than one-third of the duty. They said, too, that of the large quantity of lager beer manufactured, not one-eighth part paid the duty.

**Hon. Mr. Howland** considered a return prepared in the way suggested by the Minister of Justice would serve every necessary end. He was quite certain the assertion as to the alleged statement of Mr. Brunel was incorrect.

**Mr. Young** said it appeared to him the whole object of the motion would be lost unless the name of the brewer and distiller was given. If the particular establishment

was not named, they could not compare the amount returned with the amount of business done.

**Mr. Oliver** said he should like to amend his motion, so as to include distilleries as well as breweries, and with that view would allow it to stand for the present.

#### DEFENCE OF THE PROVINCE

**Mr. Mackenzie** in the absence of Mr. Blake, moved for copies of despatches and correspondence between the Imperial and Canadian Governments touching the defence of the country.

**Sir John A. MacDonald** said that communications between the two Governments were of a confidential nature, and therefore could not be given at present. However, before any action should be taken in the matter of defence such papers as could be submitted would be sent down.

The motion was allowed to stand over.

#### COLLECTION OF CUSTOMS AND HARBOUR DUES

**Mr. Lawson** moved for a number of returns respecting the collection of Customs and Harbour tolls.—Carried.

#### SALARIES OF GOVERNMENT OFFICIALS

**Hon. Mr. Smith** moved for returns showing the salaries of Post-masters and Post Office Clerks, Treasurers and Deputy Treasurers and collectors of Customs and Inland Revenue and Excise in the Dominion of Canada, and also the officers and employees on the Government Railways in New Brunswick and Nova Scotia.—carried.

#### SECRET SERVICE MONEY

**Mr. Mackenzie**, in the absence of Mr. Blake, moved for a return showing the amount remaining unexpended on the 1st day of July last, of the sums granted during last session of the Parliament of the Province of Canada, for secret service; and, also, of the amount remaining unexpended at this date.—Carried.

#### INTERCOLONIAL RAILROAD

**Mr. Robitaille** moved an address for copies of all correspondence, etc., relating to the Intercolonial Railroad since the conference held at Quebec on the subject of the Union of the Provinces.—Carried.

### HARBOURS ON LAKE HURON

**Mr. Sproat** moved for a return of all surveys and reports having reference to the harbours on the east coast of Lake Huron.—Carried.

### BURLINGTON BAY CANAL TOLLS

**Mr. White** moved for a return of the amount of tolls collected at Burlington Bay Canal from the 1st of April, 1864, to 1st July, 1867.

**Mr. White** said his object in moving for this return was to show the people of Hamilton that they had lost a very good offer by a former Government respecting the transfer of this work to the City, and to show also the injustice of the tax on vessels entering or leaving that port. Vessels and goods could pass through the Welland and St. Lawrence Canals to the sea-board by paying one toll, while those from Hamilton had to pay two tolls.

**Mr. Magill**, seconder of the motion, said that the ultimate object of the motion was to get the canal tolls abolished, so that the Port of Hamilton should be in the same position as the other ports in the Dominion. At present the merchants of Hamilton laboured under a very great grievance. The people of the United States could ship through the Welland and St. Lawrence Canals by paying but one toll, whereas Hamilton merchants had to pay two.

The motion was carried.

### THE VACANCIES IN THE CABINET

**Mr. Holton** said that before the orders of the day were called, he desired to ask the Leader of the Government whether the negotiations to which reference was made last week, in regard to the filling up of vacant offices in the Government, had been concluded. The Leader of the Government had then said that negotiations were in such a condition that he hoped in a day or two to be able to announce the result to the House. He wished now to give that honourable gentleman an opportunity of making that statement.

**Sir John A. Macdonald** said he had a motion to make which would serve as a reply to his honourable friend. He moved that a writ do issue for the election of a member for the County of Huntingdon, vacant by the acceptance by the Hon. John Rose of the office of Finance Minister. He went on to say

that, on the recommendation of the late Finance Minister (Mr. Galt), negotiations were opened with a view to the appointment of the Minister of Inland Revenue (Mr. Howland) to the vacancy. He preferred holding his present office, which was not such an onerous charge as that of Minister of Finance. Negotiations were then entered into with the late member for Huntingdon, and that gentleman, after a considerable amount of reluctance, and a desire to be saved from the anxiety of that office, yielded to pressure, and accepted the appointment. With respect to the other office—the Secretaryship for the Province—that had not been filled, and when he said the other day that negotiations were on foot which he hoped would result successfully, he meant only the office of Minister of Finance. He did not intend at present to enter into the question of the distribution of offices, but might say that the distribution so far was, in a great degree, experimental. He did think, and still thought, that the duties of Secretary were so increased that one officer was unable to perform them. The office of Secretary of State was one of every-day labour, requiring every-day attention, and, with the development of the country, its duties were every day increasing. The Provincial Secretary, of Quebec, required two under secretaries to assist in discharging his duties. Those of the Secretary of the Dominion were, to some extent diminished, because a good deal of work has been localized; but the area of work was enlarged, and therefore the Secretary of the Dominion would have as much to do as the old Provincial Secretary had. Besides that, the Government had thought it well to add to the duties of Secretary of the Provinces two important branches. The Indian Affairs were formerly managed by the Commissioner of Crown Lands. We had now no commissioner, so there were no Crown Lands except the Public Lands, and his duties had been placed in the hands of the Secretary of State. The Ordnance Lands which had been handed over to the Provincial Government in consideration with maintaining a certain defensive force, were also put under the management of the Secretary of State. Then there would always be a considerable amount of correspondence between the Local and General Governments. How far these duties would be sufficient to occupy the attention of a Minister, had not yet been sufficiently developed and for the present it was not intended to appoint a successor to the Secretary of State for the Provinces.

**Mr. Holton** said that, of course, in the absence of the Minister of Finance, it would be undesirable to make any remarks as to his fitness for this office; but the honourable leader of the Government would see that in view of the well known opinions of that gentleman—(Mr. Rose)—on trade questions, as developed last session, the public of the Dominion would be interested to know the change, which had taken place in the personnel of that, by far the most important department of Government. Of course it was fresh in the recollection of every member of the House, that in the session of 1866, the commercial policy of the late Minister of Finance, Mr. Galt, had no more strenuous opponent in this House than Mr. Rose.

**Sir John A. Macdonald**—He voted for that policy.

**Mr. Holton**—The honourable gentleman says he voted for it which would have been to say, what he would not otherwise have said. In the absence of the Hon. Minister of Finance, that honourable gentleman made a very elaborate speech against that tariff, he applied every variety of argument to it, and was among the strongest opponents of it, and the question which would most interest the people of the country, was not as to the individual who was to receive the appointment, but as to its bearing on the commercial policy of the country. Of course in the long negotiations which have taken place as to the acceptance of office by Mr. Rose, it might be fairly assumed that this had been the difficulty—how to reconcile his views as a high protectionist, with the views of Government, and he (Mr. Holton) thought the conclusion reached as to the public policy as affected by this change were fair subjects of enquiry, and he hoped his honourable friend, the leader of the Government, would be prepared to state them.

**Sir John A. Macdonald** said he did not propose to discuss the position of the honourable Minister of Finance in his absence, but he could state that the monetary policy of the Government which was framed on the 2nd of July last, when Mr. Galt was appointed Minister of Finance, would be carried out.

#### A QUESTION OF PRIVILEGE

**Mr. Holton** intimated that to-morrow he proposed calling the attention of the House to a question of privilege, namely, position of certain officers of the Crown in the Provinces

of Ontario and Quebec, as bearing upon their right under the independence of Parliament Act to occupy seats in the House. He had proposed doing so to-day, but his honourable friend the member for Cornwall was absent, and not having had an opportunity of communicating with the leader of the Government before the meeting of the House, he concluded to postpone it until to-morrow, and gave this intimation. Before sitting down, he wished to enquire of the Minister of Inland Revenue when he might look for the public accounts of the late Province of Canada. We had none for the two years ending July 1866 and 1867. And also when the trade and navigation returns for the same period would be brought down.

**Hon. Mr. Howland** said the public accounts would be submitted to-morrow, and the trade and navigation returns in the course of the week.

#### MESSAGE FROM HIS EXCELLENCY

**Sir John A. Macdonald** brought down a message from His Excellency to the House of Commons, as follows:—

I thank you for your dutiful and loyal address, and for the assurance that the important business to be submitted to you will receive your attention.

#### KAMOURASKA ELECTION RETURN

On motion of Sir John A. MacDonald, Mr. Langevin, the Clerk of the Crown in Canada, attended with the return of the last election of the County of Kamouraska, and all other documents received by him connected therewith.

#### NOTICE OF MOTIONS

**Mr. Bellerose**—Wednesday next—Bill entitled "an Act respecting timber on the navigable rivers of the Dominion."

**Hon. Mr. Connell**—Wednesday next—Address for returns of names of all officers or employees connected with Parliament or Departmental Buildings, with salaries, etc.; the amount expended on Buildings, amount due or claimed to be due on contracts for erection of Parliament Buildings, and estimate of the cost of completing the same.

**Hon. Mr. Connell**—Wednesday next—Enquiry whether the government contemplate making any further survey of the different routes for the Intercolonial Railway previous to locating the line; if so, what line they intend to survey, and whether a measure for

the construction will be introduced this session.

**Mr. Savary**—Wednesday next.—Enquiry of the Minister whether it is the intention of the Government to introduce during the present session a Bill relating to patents, permitting American citizens to receive patents, etc.

**Mr. Magill**—Wednesday next.—Inquiry whether it is the intention of Government to make good the charitable appropriations in the Province of Ontario to 3rd June, 1867.

**Hon. Mr. Anglin**—Wednesday next.—Enquiry of the Ministry whether any persons named in Her Majesty's proclamation to represent New Brunswick in the Senate have declined the seats; and if so, if the Ministry in filling vacancies intend to give due weight to the just and reasonable claims of the Catholics of New Brunswick in proportion to the members.

**Mr. Blanchet**—Wednesday next.—Enquiry whether it is the intention of Government to recompense, either by grant of land or otherwise, the Volunteers who were out during the Fenian invasion, as well as those who have served for five years.

**Mr. Bellerose**—Wednesday next.—Address for statement of cost of roads in the Isle of Jesus.

**Dr. Parker**—Wednesday next.—Address for copies of correspondence, etc. between the

Government of the Dominion and the Lieutenant-Governor of Ontario.

**Mr. Tremblay**—Wednesday next.—Enquiry whether the Government intend to erect a lighthouse at Port Neuf Point, Egg Island and Manicouagan Point, and to place a floating light and steam whistle at the eastern extremity of Red Island Shoal in the river St. Lawrence.

**Mr. Blanchet**—Wednesday next.—Address for copies of correspondence with Her Majesty's principal Secretary of State for the Colonies with regard to the termination of the Railway intended to connect Quebec with Halifax.

**Hon. Mr. Fisher**—Wednesday next.—Enquiry whether the Judges of the Superior Court of New Brunswick have made any claim for salary or allowance other than what is allowed by the law of that Province.

**Mr. Masson**—Wednesday next.—Whether the General or Local Governments will have the appointment of Magistrates.

**Mr. Fortier**—Wednesday next.—Enquiry as to the intention of the Government in reference to navigation on the maritime coast of Canada, The Gulf and River St. Lawrence and Great Lakes, etc. etc.

The House adjourned at half-past four.



# HOUSE OF COMMONS

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Tuesday, November 19, 1867

The Speaker took the Chair at three o'clock.

**Mr. Dufresne** presented the petitions of George Baby, Esq., against return of F. B. Godin for the District of Joliette.

**Hon. J. S. Macdonald** presented the petition of B. Hutchins, Esq., against the return of the Hon. J. J. C. Abbott for the County of Argenteuil.

**Hon. Mr. Kierzkowski** presented the petition of R. E. Fontaine against the return of P. S. Gendron for the County of Bagot.

**Mr. Huot** presented the petition of Adolphe Gagnon against the return of F. X. Cimon for the County of Charlevoix.

**Hon. Mr. Cartier** presented the petition of the Hon. J. C. Chapais, complaining of the return for the District of Kamouraska and claiming the seat.

**Mr. Fortier** presented the petition of Mr. Lanctot against the return of Hon. G. E. Cartier for Montreal East.

**Mr. Casault** presented the petition of J. A. N. Provencher against the return of Mr. Fortier for the District of Yamaska.

**Mr. Simard** presented the petition of L. B. Massue against the return of F. Geoffrion for the District of Vercheres.

**Hon. Mr. Dorion** presented the petition of L. B. Caron against the return of B. Pouliot for the County of L'Islet.

**Mr. Archambault** presented the petition of J. Lanoutte against the return of the Hon. A. A. Dorion for the District of Hochelaga.

**Mr. McCarthy** presented the petition of S. Franchemontagne against the return of A. H. Paquet for the District of Berthier.

**Hon. Mr. Dorion** presented the petition of P. V. Valin against the return of P. G. Huot for the electoral Division of Quebec East.

## STANDING COMMITTEES

**Sir John A. Macdonald** from the committee appointed to strike the select standing committees of the House, presented lists of such committees which were concurred in.

## PRINTING COMMITTEE

**Mr. Mackenzie** moved that a message be sent to the Senate, requesting that body to unite with this House in the formation of a joint committee on printing.—Carried.

## GOVERNMENT BUSINESS

**Sir John A. Macdonald** moved that in addition to Tuesday and Friday, as at present, Thursday be a day for Government business—that on those days, after Government business, other business may be taken up, and that on Mondays and Wednesdays after the business in hand of private members is gone through with, Government business may be taken up.—Carried.

**Mr. Holton** said he entirely approved of this motion as likely to accelerate business in the House, but he desired to ask whether the leader of the Government would now or on an early day state what measure Ministers proposed introducing to the House and pressing to a final passage during this part of the session. It seemed to be generally understood that the session was to be divided into two parts—one to be brought to a close as early as possible in December, and that an adjournment should then take place to give the Government time and opportunity to elaborate the measures which they were not now prepared to submit. This under the actual circumstances of the case seemed a reasonable course for the Government to pursue, but he thought it right that the Government should communicate to the House the order in which they proposed to deal with the public business.

**Sir John A. Macdonald** said it was the intention of the Government to divide the session into two parts. The Government of the Dominion was formed on the 1st of July and very soon afterwards the members had to devote their time to their own elections

and elections of their friends. During that time, of course, they had no opportunity to prepare their measures and elaborate the details. The House then had to be summoned in order to meet the requirements of the Union Act, to pass the supplies and such measures as were immediately necessary. He hoped tomorrow to be able to state what measures would be pressed on the attention of the House during the first part of the session, which he hoped would be got through in a very short period. It was proposed that Parliament should meet again in February. The reason of the delay was that, in the first place, it would give the Government two months to elaborate its measures, and they should endeavor, as far as possible, to prepare the Bills and send them to members during the adjournment, that they might consider them at their homes. Another reason for the delay was, that the arbitrators between the General Government and those of Ontario and Quebec could not, according to the Union Act, be appointed until after the General Parliament and both Local Parliaments met, and until the arbitrators met we could not ascertain what property the Dominion had—what was the state of accounts between the General Government's and the Governments of Ontario and Quebec, or how the assets and liabilities were to be divided. He might mention now one measure which would be submitted during this part of the session. The Union Act rendered imperative a measure for the construction of the Intercolonial Railway; a commencement had to be made within six months of the Union coming into operation, and the subject therefore had to be dealt with without delay. The House would be asked also to give the necessary votes of credit carrying out the administration of public affairs. He begged now to give notice that he would introduce a bill similar to the first act of last session, continuing the suspension of the Habeas Corpus Act, and also an act to extend to the whole Dominion the act for the trial of foreign aggressors. It would be anomalous that there should be one kind of tribunal in one section of the Dominion for the trial of such parties, and another kind of tribunal in another section.

**Mr. Howe** said that a minister in the other House, referring to a measure in the matter of the fisheries and marine, stated that it would take till next spring to prepare that measure. Now, as the fishermen on the sea-coast were prepared to go to sea early in the

[Sir John A. Macdonald (Kingston)]

spring, they ought to have as early a notice as possible of what the intentions of the Government are.

**Sir John A. Macdonald** said he had no doubt the Fisheries Bill would be introduced early in the second part of the session.

**Mr. Howe**, in regard to the period when Parliament should re-assemble, said he would prefer the second part of the session should not commence till March. If we were having February weather now, what sort of weather we would have in February, who could tell! (Laughter)

**Sir John A. Macdonald** said that if they met in March the Nova Scotians would be telling them they were as mad as March hares. Here it had been found that the best normal period for assembling Parliament was the end of January or the early part of February.

The motion was carried.

#### INTERPRETATION OF THE STATUTES

**Sir John A. Macdonald** introduced a Bill respecting the interpretation and construction of the Statutes.

#### SECRETARY OF STATE FOR CANADA

**Hon. Mr. Langevin** introduced a Bill respecting the Department of Secretary of State for Canada. In introducing the Bill, Mr. Langevin explained the provisions of the proposed measures. The Department of Secretary of State for Canada was to be under the management of the Secretary of State, and Under-Secretary of State. The Under-Secretary of State would perform the duties assigned to him by the Governor General or Secretary of State, and the Department would be a medium of communication between the Government of the Dominion and the Imperial Government and other parties. Besides the Secretaryship, the office of Registrarship of the Dominion would also be vested in the Secretary of State; and, as Registrar-General, he would have to register letters patent and other instruments and documents, under the great seal of Canada. The Indian Department would form a branch department of the Secretary of State, under the control of which all Indian lands and grants in the Dominion would be placed. The laws in the various Provinces in regard to Indian affairs being different, it was necessary, and provision was made in this Bill to

assimilate them and make one law which would be applicable to the whole Dominion. Besides that, in the former Province of Canada, the Ordnance lands had been transferred by the Imperial Government and were under control of the Provincial authorities. These lands would also be fully under the control of the Secretary of State for Canada, and provisions were made in the Bill for carrying out that proposition. He (Mr. Langevin) had also tried to incorporate in the Bill provisions which would acquaint persons having business with the department with all laws having reference to the Ordnance and Indian lands and general business of the department. More special provisions were also inserted to prevent trespassing on Indian lands. Formerly while Indians were absent on their hunting journeys, persons often settled on their lands, and if they had undisputed possession six months, could not be removed. In order to reach them and protect the Indians it was proposed to extend this period of six months to one year, so that these parties could be ejected within that time. If it was in order he would ask whether there was now a Secretary of State for the Provinces, or whether it was intended to fill that office.

**Sir John A. Macdonald** said it was not intended to fill that office immediately. Mr. Archibald was still acting as Secretary of the Provinces, and his services were of the greatest advantage at this moment in consequence of the numerous applications now being made on the department. The establishment of this department was an experiment, and it was not yet decided whether there should be a new distribution as far as the duties of the Secretaryship of State were concerned.

**Mr. Holton** asked whether the whole duties of both offices were to be confined to the Department? Whether after the passage of the Bill there would be room for the Secretaryship of State for the Provinces in the machinery of the Government? The Minister of Justice was understood to say last night—at least they understood his statement to imply—that there was to be but one Secretary of State for the Dominion.

**Hon. Mr. Langevin** said the intention was to make provision in this Bill by which certain of the duties assigned to the Secretary of State for the Provinces, might be transferred to the Department of the Secretary of State for Canada, if compatible with the public interests.

The Bill was read.

### THE PUBLIC ACCOUNTS

**Hon. Mr. Howland** laid on the table the Public Accounts of the Province of Canada, for the year ending June 30, 1866.

**Mr. Holton** asked when the Public Accounts for 1867 would be ready. Nearly five months since the fiscal year had ended, and yet the accounts were not ready, although the duties of the officers of the Finance Department must have been lessened in consequence of the change of system.

**Hon. Mr. Howland** said that on the contrary, those duties had, temporarily at least, been largely increased in consequence of that change—especially those of the Audit officers. He would inform the honourable member to-morrow when the accounts for 1867 would be ready.

### INDEMNITY TO MEMBERS

**Sir John A. Macdonald** moved that the House go into Committee of the Whole on the resolutions respecting the indemnity to members and the salaries of the Speakers of both Houses of Parliament.

**Sir John A. Macdonald** explained the provisions of the law of the former Provinces of Canada, which he said had been found to work satisfactorily, and the principle of which had therefore been adopted by the Government in these resolutions. He proposed to fill up the blanks in the clause respecting the salaries of Speakers of the Senate and the House of Commons with a sum equal that formerly paid Speakers of the Legislative Council and Legislative Assembly of Canada.

The motion was carried.

The House then went into Committee, Mr. Morris in the chair.

**Mr. Mackenzie** said he was in favour of an allowance per diem for indemnity to members till it reached a certain amount which it was not to exceed.

**Mr. Blake** said, that in such an event, it was obvious that members remaining in the House to attend the public business of the country would consider that they were doing so at their own charges, and consequently important measures would be hurried through at the close of the session, without receiving proper attention. The true remedy for this is to pay members a per diem allowance for the time they remain here. It was not a right principle to receive \$180 for thirty

days and \$60 for thirty-one days. They were not dealing with this question for this session only but for future sessions. It was reasonable to suppose that their sessions would be very much shorter than were the sessions of the old Canadian Parliament, and it would be unfair to pay themselves a sum based upon the sessions of that Parliament.

**Mr. Holton** was surprised that the Minister of Public Works and the Minister of Internal Revenue should acquiesce in the statement that a sessional allowance worked satisfactorily in the late Province of Canada. It was adopting a system used in New York and applicable in that country to a different system of Government from this country. The pay members get there is \$3.00 per day, and the time of the session limited to one hundred days. They meet on a fixed day, and it is in their own power to shorten the time of the session. Here they meet at the call of the Executive, in whose hands are all important measures, and they rise not by their own will, but by the will of Ministers. He had known Ministers in former times bring in measures at the heel of the session, which were passed through without receiving proper consideration in Parliament. That mode of indemnifying members of Parliament is not applicable to the British system of Government. Under that mode they could not get a session closed under thirty days, but after that time had expired, a great number of members would feel they were staying at the seat of Government at their own expense, and they would be impatient if any member, in the discharge of public duties, sought to enforce upon Parliament a proper consideration for the measures submitted to it. They should adopt such a system of indemnity as would pay members for whatever time the exigencies of the public service required them to stay here.

**Hon. Mr. McDougall** said that he had always endeavoured to vote for any question that came before the House, if he believed it for the public interest for the time being. He did not think that there was any member in this Parliament, who was a member of the late Parliament of Canada, but he would say that under this rule of sessional allowance the session had been shorter and the expenses less, than under the old rule of paying members by the day. Before they adopted the new mode, he had known sessions to be prolonged to upwards of six months.

**Mr. Fisher** said that they looked to Canada for a precedent in this matter, without any  
[Mr. Blake (Durham West)]

regard to what had been the practice in the Maritime Provinces. He did not think that the mileage proposed was just to these Provinces. The mileage was to be paid according to distance by the nearest mail route, but they could not travel by that route. In Canada the facilities for travelling were such that the expenses were very light, and they could calculate just what they would be, but the case was different in the Maritime Provinces, where there were not the same facilities, and delays were occasioned by heavy falls of snow. He had spent one day in travelling twelve miles on the road to Fredericton. In New Brunswick the rate of mileage was one shilling per mile each way, and this, he thought, was none too much.

**Sir John A. Macdonald** said if he could be shown that the rate of mileage was unjust to the Maritime Provinces, it should be rectified. His honourable friend must remember that if the mileage of New Brunswick members was less than they had been accustomed to receive their pay was increased from \$4 to \$6 per day. Thus they would receive a larger amount at the close of the session than they would receive in their own Province. In moving the Address, his honourable friend had given members from Upper Canada a speech on economy which had sunk deep in their hearts. He said the general belief in New Brunswick was that we were extravagant and he cautioned us to try by every reasonable means to remove that impression. Now, on the first attempt they made to correct that impression his honourable friend was going to vote against it. If the pay of members was insufficient he would sooner increase it than have the amount made up in the mileage. If members wish to increase the indemnity let them express it and the Government will consider it, though he considered if they had erred at all it had been on the side of liberality—previous to their adopting a sessional allowance in the old Parliament of Canada, it was alleged in the newspapers that their session lingered on for five or six months because some members did not care about going home when they were in comfortable quarters, receiving six dollars per day. To do away with that impression we made a calculation what the ordinary time of a session would be and we came to the conclusion that a bona fide business session could be compressed, and that six hundred dollars was sufficient pay for each member; after that it did happen that their sessions were condensed into a reasonable compass. In regard to the present Parliament, he thought

the first two or three sessions might not sit quite three months, but with the increase of area session would soon be as long as formerly. It has been said, when members had a sessional allowance, they would be anxious to get home, and would not stay to give proper attention to important measures. Every member must wait till the end of the session, till the Government brings all their measures down; if a member leaves his place there is a deduction from his pay made for every day he is absent.

**Mr. Johnson** could tell his honourable friend, the leader of the Government, that a man could live better in the Maritime Provinces on \$4 per day than on \$6 here. As good board could be had there at \$1 per day as for \$2.50 here, and there members could run home and spend a day or two in looking after their business, whilst when once here they had to stay for the session. The word indemnity was sound, if they were to be told that thirty shillings per diem were to recompense them for their time and expenses. If the honourable leader of the Government was making comparisons between this Province and New Brunswick, he could tell him that Ministers there only received £600—(hear, and laughter)—and he was perfectly willing if they were economizing, to cut down official salaries. He did not hesitate to say that the people of New Brunswick valued the services of their members and wanted to see them through harmless. Some might give a little in order that others might not lose, but if so, let nothing be said about it. Ten cents would not cover expenses, and it would be better to have nothing and let it be understood that they served from patriotism.

**Mr. Masson**, of Terrebonne, as a volunteer officer, he had experience in regard to travelling allowances, and knew that three or four cents per mile was the rate for railway and steamboat travelling, and ten cents per mile for carriages. He considered an average of ten cents fair enough.

**Mr. Blake** thought members might be paid on the principles acted upon with respect to witnesses in courts of justice, and receive such a sum as their expenses would seem to have amounted to. He thought they ought to adopt a maximum; but members should certify what their travelling expenses were and receive no more. He did not think they should vote themselves what the leader of the Government himself admitted was too large an allowance. If members were capable of prolonging the session for the sake of getting

six dollars a day, they would certainly be capable of hurrying it to a conclusion for the sake of getting six hundred.

The House then rose.

#### EVENING SESSION

After the recess,

**Hon. Mr. Cartier** resumed the debate on the indemnity to members. He said that the Bill before the House was not a new one to members from the late Provinces of Upper and Lower Canada. In 1859, he brought in a Bill similar to the one now before the House. The principle of that Bill was approved of not only by the then Government, but also by the Hon. Mr. Brown and a large majority of his party. The same principle was adopted at Washington in reference to the indemnity of members of the Senate and House of Representatives. With regard to mileage there was some difficulty, but so soon as the Intercolonial Railway should be built, that difficulty would in a great measure be removed. Then equalization in regard to mileage would be effected. For the present, his honourable friend from New Brunswick ought not to find fault with the proposed system of mileage, because the indemnity to members of the New Brunswick Legislature was but \$4 per diem instead of \$6. Besides the members from Gaspe and Bonaventure have nearly as great a distance to travel from the nearest railway station, and yet they had always been satisfied with the mileage.

**Mr. Holton** admitted that the Hon. Mr. Brown, and some of his friends, had acquiesced in 1859, in the motion of the honourable gentleman, at present Minister of Militia. But there was a general opinion among gentlemen opposite that Mr. Brown did sometimes make mistakes, and he (Mr. Holton) was willing to admit that this was a mistake on the part of that gentleman; though, perhaps, not so great a mistake as he committed when he entered the Government with the honourable gentleman opposite. (Laughter). He denied that the working of the bill of 1859 had proved satisfactory to Canada.

**Mr. Johnson**, of Northumberland, N.B., said that the remarks of the Minister of Militia seemed to indicate that he considered New Brunswick as a mere appendage to Canada. He (Mr. Johnson) wished to forget that there were such dividing lines between the Provinces; but, at the same time, justice must be given to all. Sixpence a mile was not enough

to pay the travelling expenses of members from New Brunswick. He was afraid the Government was trying to be economical at the expense of New Brunswick members. He would move, in addition, that members of Government receive no sessional allowance nor mileage.

**Hon. Mr. Cartier** said that members of the Government always paid their own expenses when travelling on official duties. He hoped to see the day when the country would be wealthy enough to enable them to adopt the English principle—that is, for members of the House to receive no pay whatever for their services; but at present that was impossible.

**Mr. Connell** did not wish it to be understood that New Brunswick members desired any increase in the expenditure. At the same time, if there was a mileage, it should be so arranged as to give justice to all parties. He was of the same opinion as his friend from Northumberland, that though sixpence a mile might be sufficient to meet the travelling expenses of members from Ontario, it was not sufficient to meet the expenses of those from New Brunswick, many of whom had to travel a long distance after leaving the railway.

**Mr. Blanchet** said there were only two countries where members were not paid—England and Germany. We must not have wages, but only indemnity for expenses, and this indemnity must be the same for all members of the Dominion.

**Mr. Fisher** made some further remarks on the mileage question.

**Mr. Blake**, with reference to the second resolution, which provides a reduction of \$5 for each day a member is absent when the House sits, said he preferred the original Act, which provided for a reduction on each day a member was absent from the Seat of Government, whether the House sat or not. The original provision tended better to secure attendance on Monday, when the House adjourned from Friday till that day—being a check on those who availed themselves of that adjournment to go to their homes.

**Mr. Cheval** said he wished the indemnity per diem diminished every month—never being over \$630 per annum, instead of being so much per session. He believed, also, that Ministers' salaries were too high in proportion to that of members.

[Mr. Johnson (Northumberland)]

**Mr. Dufresne** expressed the opinion that perhaps the indemnity was too low and could be raised at least indirectly by making two sessions instead of adjourning.

The resolutions were then agreed to, with considerable amendment on the 5th and the blanks in the resolutions relating to the salaries of Speakers of the Senate and of the Commons being filled up with \$3,000 to each.

**Hon. Sandfield Macdonald**, in connection with the resolutions as to Speakers' salaries, commended the action of Speaker Cockburn in giving social entertainment to members, and said such reunions while he was himself Speaker had had a most happy effect in smoothing down asperities between the gentlemen on the opposite side of the House. He suggested that rooms should be fitted up in the House for giving such entertainments, and that the Sergeant-at-Arms be directed to provide a dinner service.

**Mr. Mackenzie** said if any one was to be entrusted with the duty suggested, he thought none could do it cheaper than the member for Cornwall. It was reported that he had bought up all the old chairs and tables in all the brokers' shops in Toronto, to fit up the Government buildings there. (Laughs). From his remarks to-night he presumed the honourable gentleman contemplated dining himself into a majority when the Local Legislature assembles at Toronto. He thought it would be premature, however, to take the honourable gentleman's proposition into consideration.

**Sir John A. Macdonald** said that if the proposition were to be carried out, he hoped his honourable friend from Cornwall would give his services to select the furniture. (Laughter). He concurred in the satisfaction expressed with the inauguration of a series of social reunions under the auspices of the Speaker.

The resolutions having been reported, were concurred in by the House.

**Sir John A. Macdonald** introduced a Bill founded on the same.

**Sir John A. Macdonald** then moved the formal resolutions necessary to constitute a Committee of Supply, and that the House will, on Friday, resolve itself into such Committee. Carried.

**Hon. Mr. Connell (Carleton, N.B.)** said that coming here as, he supposed, all honourable members came, a representative for the Dominion of Canada, he was surprised to

hear so much stress laid on former Canadian practices, and to have such references made as honourable members had indulged in. It was of no importance to them what Mr. George Brown's opinions had been, but what it was of importance for them to consider was, how best to serve the general interest and how do equal justice to the Maritime as well as the interior Provinces of the Dominion. He only wanted justice, and it was a matter of small moment to him what the pay of members was, or how much mileage they were paid so long as a spirit of justice governed the decision. He quite sympathized with the remark of the honourable Minister of Militia, with regard to the importance of an early completion of the Intercolonial Railway, upon which so largely depended the future prosperity of the great Dominion, which they had now assembled to inaugurate; he was, as were the people of New Brunswick, anxiously and warmly interested in the progress of that undertaking, but he must repudiate the idea advised by the Honourable Minister of Militia that New Brunswick members were actuated by any paltry desire to get what they could from the public chest. He desired to see a spirit of economy exercised; but he did not want to see it applied in a partial or invidious manner. The country required that such a consistent system at the

outset of the Dominion should be adopted as would relieve the public mind of any fears of extravagance ruling. Let the Government in their efforts for economy begin with themselves, and so down through all the departments apply the same principle. He had given notice of an enquiry which would bring some important information before the House, and enable honourable members to know for what special service so many employees as were to be found in connection with Parliament were required, and how they were appointed, and how much salary they received. He had come here an independent member, representing an independent and intelligent constituency; he was not pledged to the support of any government, but he was bound to try all measures submitted, and act upon them in the light, according to his judgment of their effects upon the country and its interests.

**Mr. Holton** said he believed he would best consult the convenience of the House by postponing till to-morrow the question he intended to raise with regard to seats held in the House by members in the Local Government, and he would draw the attention of the House to it to-morrow evening after routine business.

The House adjourned at 9:45.

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## HOUSE OF COMMONS

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Wednesday, November 20, 1867.

The Speaker took the Chair at 3 o'clock.

### RAFTING OF TIMBER

**Mr. Bellerose** introduced a Bill respecting the rafting of timber on the navigable rivers of this Dominion.

### SITTING IN BOTH LEGISLATURES

**Mr. Mills** introduced a Bill to disqualify members of the Local Legislatures from sitting or voting in the Senate or House of Commons of the Dominion of Canada.

### ELECTION PETITION FROM ESSEX

On the question of receiving a petition against the return of **Mr. O'Connor**, for Essex.

**Mr. T. R. Ferguson** objected. He said the rules of the House of Commons required that no documents should be attached to a petition. This violated the rule in having affidavits attached. Another objection was that the petitioners did not state whether they were electors or not.

**Sir John A. Macdonald** said the last objection was a matter to be judged of by the Election Committee. The first objection was of a different nature, and it might be as well to let the motion for the reception of the objection stand till to-morrow.

The motion accordingly stood over.

### LOCAL MINISTERS SITTING IN THE HOUSE OF COMMONS

**Hon. Mr. Holton** said he rose to bring under the notice of the House the very important question of privilege, of which he had given intimation yesterday, a question very important both practically and theoretically considered. Practically, as it affects the right of seven or eight gentlemen, now occupying seats in this House, to hold these seats; and theoretically, because it raises an important question of constitutional practice under the new system of things under which we now exist. He proposed to broach the question in

no spirit of dogmatism or captiousness, but as a simple and earnest enquirer after the true solution of doubts which had arisen in his own mind, and which, he believed, were shared by a large number of the members of this House. He hoped it would not be discussed in any other spirit than one of enquiry. The principles which he would invoke were those which were well established in the constitutional practice of the mother country. He could have wished that the question had been raised by a gentleman of the legal profession, but perhaps it was as well that such was not the case in order that there might be no special pleading. The point was this—whether those who are Ministers of the Crown in the Province of Ontario and Quebec are or are not precluded from sitting and voting in this House under the Independence of Parliament Act, like all similar acts through the English speaking world, was founded on the celebrated Act of Queen Anne for precluding placemen from sitting in the House of Commons; but an act was introduced by **Sir Louis Lafontaine** in 1843 and it prohibited a large number of placemen from sitting in the Legislative Assembly—it received various modifications down to 1857, when under the present leader of the Government it took a very trenchant form in which it now stands on our Statute Book. Under that Act, all officers of the Crown receiving any emolument directly or indirectly by fee or salary except Members of the Executive Government were excluded from sitting or voting in this House. Under that Act a petty post-master or Contractor under Government was deprived of the right of sitting in Parliament. He here quoted the words of the Act which excepted no one but members of the Executive Council, and officers of the army and navy. Turning now to the present condition of things, as created by the Act of Union, under the authority of which this Parliament exists, what do we find?—that this Independence of Parliament Act is continued in force till changed by an Act of this Parliament—the spirit and intention of the Act being precisely this, that the Privy Council under our new constitution occupies exactly the same position relative to this matter, that the old Executive Council of Canada did, and that the Executive Council

of Ontario and of Quebec occupy quoad this provision, precisely the position which the Executive Council did in the old Parliament of Canada. In other words, that members of the administration of this day were the only officers of the Crown, eligible to sit and vote in this House, while in the Local Houses, members of the local executive were the only ones eligible. It might be argued that these gentlemen were not officers of the Crown; that their appointment is through a derived power, not from the Crown or in the Queen's name. It was possible there might be some force in these arguments, though he could scarcely imagine the Attorney General of Quebec or Ontario, prosecuting in the Queen's name, being held not an officer of the Crown. But if he be an officer of the Crown and a member of the Privy Council of his province, it raised very grave doubts whether he had a right to sit and vote. There was another point which he wished to notice. The Under Secretary of State occupied rather an anomalous position. They are appointed by their chiefs not by the Crown, and they are not allowed to sit in the House of Commons, without going back for re-election; but they sit by virtue of an express statute which declares that no more than four of these officers shall sit in the House of Commons. In the absence of such express statutory provision he inferred these officers would be excluded from sitting; and if on the grounds of public policy a certain number of gentlemen to whom he referred, should occupy seats in this House, then there should be special statutory provision prohibiting any but a certain number should have seats. He did not propose enlarging on the subject. The real question was whether these gentlemen are or are not officers of the Crown? He thought they must be held to be officers of the Crown. One word as to the proceeding which he thought should be taken in this matter. He would direct attention to the course taken in the case of Mr. Forsyth, Under Secretary of State for India. It happened through forgetfulness probably of the state of the law, that five Under Secretaries were found in the House of Commons. Mr. Disraeli called attention to the state of facts, whereupon Lord Palmerston, the leader of the House, proposed a reference of the whole subject to a select committee to inquire into the whole question and report. That committee reported that this fifth Under-Secretary was in fact in the House contrary to law, and recommended that a Bill of Indemnity should at once be introduced to save Forsyth from the penalties incurred by sitting in the House. The ad-

[Mr. Holton (Châteauguay)]

ministration at once withdrew one Under-Secretary from the House of Commons, and appointed a member of the House of Lords in his place. Following this precedent, he thought that his honourable friend at the head of the Government should propose to refer this matter either to a select committee or to the Standing Committee on Privileges and Elections. Of course, he (Sir John) was not under the demands that sometimes existed, by reason of a close division of parties to strain the law or desire that a bad precedent should be established at this the commencement of our new era.

**Hon. Mr. Cartier** said the honourable gentleman (Mr. Holton) had stated his case according to his own view as full and as temperately and in as good spirit towards the Government as it could be by a member of the Opposition, in order to elicit on such an important question, the views of the Government. He regretted, however, that he had not reduced to writing the purport of his remarks. He (Mr. Holton) contented himself by stating that he was moving the House, verbally, on a great question, affecting the privileges of the House. He thought if he consulted May or any other authority, he would find that when a question as to a breach of the privileges of this House was brought, which implied a knowledge of facts which could not be within the knowledge of members, his statement ought to be made in writing. He (Mr. Holton) implied that honourable gentlemen holding seats in this House, were receiving salaries as members of the Local Governments of Ontario and Quebec. This was not within the knowledge of the House, and it was required to take these facts for granted. The gentlemen referred to had no power to vote themselves salaries—that was vested in the Local Parliaments—but even supposing these gentlemen were receiving annual salaries, that would render the proposition no stronger; it then came to this—that members of another Government had no right to occupy seats in this House. He (Mr. Cartier) would like to see any law prohibiting this. As well might it be pretended that gentlemen holding appointments from the Governments of the Maritime Provinces were precluded from holding seats in this House. The Governments of the different provinces were as distinct as that of British Columbia was from ours. Even supposing that the legislatures of the provinces had met and voted salaries to local Ministers, he still contended that they could sit in this House, if otherwise qualified. The Local Governments

do not derive their power from the General Government, but receive appointments in the Queen's name, under the great seal. The Governments of Quebec and Ontario are carrying on matters pertaining to them respectively in the name of the Queen, and the Act of Union did not pretend to make any provision in regard to the Local Governments. He quoted from the Act with the object of showing the jealousy with which such interference had been guarded against. He understood his honourable friend to regard New Brunswick and Nova Scotia as mere appendages of Canada.

**Hon. Mr. Holton** said he held their officers to be officers of the Crown, and, if so, they could not sit here. Unless he was misinformed, one of the luminaries of the law appointed by his honourable friend as a Crown Prosecutor, refused to address his chief, Mr. Ouimet, by title of honourable, on the ground that he was not a Queen's officer, but appointed by the Lieut.-Governor. He (Mr. Holton) did not hold that ground. He maintained that these gentlemen were officers of the Crown, and because they are such within the territorial limits of the late Province of Canada, to which this Act applies, he held that they had no right to sit here. This question had no reference to Nova Scotia or New Brunswick at all, but had arisen out of a Canadian Statute, continued in force by the Imperial Act.

**Hon. Mr. Cartier** thought the honourable gentleman should have been content that he was not petitioned against, and have left his Chateaugay contest alone. His honourable friend contended that the heads of departments in Ontario and Quebec had no right to sit in this House. He (Mr. Cartier) said they held these offices provisionally the same as the heads of departments in this House. Everything was left provisional, in order to give an opportunity to the Parliament of Canada to legislate upon the matter. No head of department was named by the Union Act. They were acting as Ministers of the Government, and their salaries were to be the subject of legislation, the same law would apply to them as to heads of Departments in Ontario and Quebec. Mr. Rose was appointed Minister of Finance, and there was no law which could be brought to compel him to be re-elected by his constituents. Although Mr. Rose, as soon as he was appointed Minister of Finance, resigned his seat in the House so that his constituents should have the opportunity of re-electing him in that capacity, he was not obliged to do so by any Act of

Parliament. Mr. Cartier then read portions of the Act of Union, to prove that heads of Departments in Ontario and Quebec, had the right both by the spirit and letter of the law to hold seats in this Parliament.

**Hon. Mr. Johnson** thought the local and general governments were altogether distinct, and that one had no influence over the other. This being the case, a member of one of the Local Governments would not be disqualified from holding a seat in the Commons.

**Mr. Smith** did not interpret the statute in the same light as his friend, the member for Chateaugay. According to the letter of the law members of the Local Government were certainly entitled to a seat here. Until special provision is made, the law existing in Canada before the Union remains in force in the Provinces of Ontario and Quebec. According to his interpretation of that law members of the Local Government were not only entitled to a seat in the Commons, but were also entitled to the same salary which members of the Government had before the Union; namely, \$5,000 a year.

**Mr. Morris** thought that as a matter of policy an Act should be passed preventing members of the Local Government from holding seats in the Commons in future, but as the Act now stood they were eligible.

**Hon. Mr. Howe** said the member for Chateaugay was only discharging a public duty in bringing the subject before the House and country. He had put the case fairly before the Government, and left it to them to deal with it. It was in accordance with the spirit of the British constitution that there should not be any members of Parliament receiving emolument from or under the influence of the Crown. This principle was carried out in the legislatures of all the Provinces. It was a matter of very great importance. Ontario and Quebec, he understood, sent twenty members to the Commons, who also held seats in their respective Local Legislatures. If the principle is admitted to be correct, what is to prevent Nova Scotia and New Brunswick sending other twenty from their legislatures. Then when Prince Edward Island and British Columbia were added to Confederation, the number would go on increasing almost *ad infinitum*. It is a matter which should be dealt with. If in the haste with which this Dominion Act had been constructed it had been overlooked, it is the duty of the Gov-

ernment to provide for it now. It ought to be dealt with at once, either by this Government or by the Committee on Privileges, so that we should know exactly where we are. He would not trouble the House at present, and especially as his honourable friend from Montreal West was not in his seat; but he would like to take an early opportunity when that gentleman would be present to revert to the somewhat extraordinary remarks contained in his late speech before the House.

**Mr. Blake** said the argument that the four Provinces are as distant from the Dominion as any other dependency of the Crown was quite untenable. The Governments were, in a sense, independent, and long might they so continue; but the fact that the Provinces comprise the territory and the population of the Dominion, the right of the Government of the Dominion to appoint the Lieut.-Governors and veto the Acts of the Local Legislatures, the many points of concurrent or perhaps conflicting jurisdiction rendered it evident that the case was a peculiar one. We had heard during the election a great deal of the necessity of the Local and General Governments being in harmony—of the members of each Administration having the confidence of the other—and of the importance of members of the Local Governments being in harmony—of the members of each Administration having the confidence of the other—and of the importance of members of the Local Governments being also members of this House. The Minister of Justice had stated that this was a matter of great importance in the case of the Treasurer of Ontario, the member for South Brant, and had given "private reasons" for it, which, if made public, would show no doubt that he then conceived that his party preached that there was or ought to be an intimate relation between the two Governments (hear, hear)—why otherwise should it have been of such consequence that the Treasurer of Ontario should be a member of this House? It was in order that he and the other members of the Local Governments might in this House be followers and supporters of ministers, be controlled by their influence and guided by their policy, and then, of course, when they met their own Parliaments their course there would be guided by their course and their alliances in this House. (Hear, hear). In a word, they would be subservient to the Government of the Dominion. Therefore in order that the measure of Independence which was given by the Union Act should be preserved, it was very necessary that the members of the Local

[Mr. Howe (Hants)]

Government should not be members of this House, and the fewer the members holding salaried offices under the Crown, who were members of this House, the more effectually would its independence and dignity be maintained. This line of argument was not directed merely to the question of policy. It was pertinent to the construction of the statutes. Honourable gentlemen opposite proposed to construe the Independence of Parliament Act, as imported into the Union Act, as disqualifying merely Dominion and not Provincial officers, and argued that the reason ceasing, the law should also cease; but if, as he had shown, there existed a reason still, then the argument failed. There was no ground for striking out of the Act the clause which in express terms disqualified gentlemen in the position of members of the Local Governments. The Minister of Militia had argued that the effect of the construction proposed by the member for Chateaugay, would be to render himself and his colleagues ineligible to sit and therefore that construction must be erroneous. He (Mr. Blake) did not think that conclusion followed. It might well be that Ministers are—and in the construction they proposed of the Act, he was inclined to think they are—themselves disqualified. They construed the Independence of Parliament Act as applying to officers of the Dominion, and if so, it applied in express terms to themselves. (Hear, hear). Looking at the Union Act, it would be seen that while it provided for the appointment of heads of departments in the Local Governments, and rendered them eligible to sit in the Local House, it made no provision for any such appointments in the Government of the Dominion, and of course did not render such officers eligible to seats in this House. (Hear, hear). It provided merely for the appointment of Privy Councillors, by whose advice Parliament might be summoned, and then the Legislature might organize the departments and make proper provisions for securing the Independence of Parliament in this particular. Instead of the Privy Council adopting this course, they had themselves taken the responsibility of advising the Crown to organize the departments. They become salaried servants of the Crown, and they were, according to their own construction of the Act, ineligible for the seats they now occupied. This was the conclusion which he would draw from the position of Minister of Militia, and it differed very much from that honourable gentleman's own conclusion, which, indeed, seemed based on some inalienable right he claimed to occupy the Treasury benches. (Laughter). The argument

of the honourable gentleman opposite had thus opened a much larger and graver question than this presented by the member for Chateauguay, and it was obviously necessary for the House to take some action. It was not consistent with the dignity of the House that the title of Ministers to their seats should be doubtful or obscure. The matter should be referred to a committee, and if any slip had occurred it should be rectified by legislation providing the House thought it advisable to adopt the view of Ministers. He hoped Ministers would adopt the suggestion of the member for Chateauguay and would agree to put this large and important question in proper train for decision.

**Sir John A. Macdonald** said the member for Chateauguay was quite right in bringing up the question. He would take an opportunity of consulting authorities on the subject and suggested that it be laid over till to-morrow.

**Hon. Mr. Dorion** cited a few cases to prove the propriety of the position taken by Mr. Holton. He was proceeding with his argument when Sir John suggested, as the subject would be brought up again to-morrow, it was not necessary to prolong the debate into an evening sitting.

The matter then dropped.

#### GOVERNMENT MEASURES

**Sir John A. Macdonald** intimated that the measures which the Government intended to introduce and carry through if possible before the adjournment in December were the following:—1st, the Post-Office Act; 2nd, the Intercolonial road bill, providing for the loan under the guarantee; 3rd, Tariff and Excise laws; 4th, Customs Regulation Act; 5th, Excise Regulation Act; 6th, Habeas Corpus Act; 7th, Supply Bill.

The House then adjourned at six o'clock till to-morrow.

#### NOTICES OF MOTION

The following notices of motion are given:

**Mr. McConkey**—Enquiry whether Government contemplate the use of any extraordinary means during the incoming season to encourage immigration from Great Britain and elsewhere to this Dominion.

**Mr. Bolton**—Enquiry whether it is the intention of Government to subsidize a line of steamers to ply between Montreal and Pictou or Halifax, touching at intermediate ports; and if so, will such subsidy be granted under public tender; also, whether a like subsidy is to be extended to the line of steamers between Halifax and the West Indies.

**Mr. Johnson**—Address for list of names of departmental officers in this Government; stating salaries received and further sums paid each; also, list of employees in each department, with their respective salaries.

**Mr. Smith**—Enquiry whether the salaries of Judges of County Courts recently established in New Brunswick, are to be paid by the Government of the Dominion.

**Mr. Macfarlane**—Bill for the better regulation of traffic on railways and canals.

**Mr. Anglin**—Enquiry whether it is the intention of the Government to do anything for the improvement of the ports of New Brunswick on the Gulf of St. Lawrence and Bay Chaleur, by dredging or otherwise; and if so, when such improvements will probably be commenced.

**Mr. Jones**—Enquiry whether Government have taken the proper means to ascertain the views of the American Government on the subject of a Reciprocity Treaty, and if not, whether it is their intention to endeavour to secure its renewal; also, in the event of failing to secure its renewal, what course they intend adopting with regard to granting licences to American fishermen.



# HOUSE OF COMMONS

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Thursday, November 21, 1867.

The Speaker took the Chair at three o'clock.

## COMMITTEES ON ELECTIONS

The Speaker announced that he had nominated the following gentlemen to constitute the general Committee of Election:— Messrs. Huntington, Walsh, Mackenzie, Dufresne, Morris and Blanchet.

## ESSEX ELECTION

The question being put on the reception of the petition against the return of John O'Connor for the County of Essex, objected to yesterday.

The Speaker said there was no rule of the House respecting the attaching of affidavits to a petition. The other objection as to the petitioners not having stated whether or not they were electors, was one for the consideration of the Election Committee, to which the petition might be referred. In his opinion the petition should be received. The petition accordingly was received.

## KENT (N.B.) ELECTION

Hon. Mr. Fisher presented a petition against the return of Mr. Renaud for Kent, New Brunswick.

## BANKING AND COMMERCE

Hon. Mr. Howland presented the first report of the Committee on Banking and Commerce, and moved that its quorum be reduced to nine members. Carried.

## PRIVATE BILLS COMMITTEE

Mr. Morris introduced the first report of the Private Bills Committee, and moved that its quorum be reduced to seven members. Carried.

## STANDING ORDERS COMMITTEE

Mr. Macfarlane presented the first report of the Standing Orders Committee, and moved that its quorum be reduced to seven members. Carried.

## COMMERCIAL BANK

Sir John A. Macdonald, seconded by Hon. Mr. Holton, moved for leave to introduce a Bill to amend the Act incorporating the Commercial Bank of Canada, and to authorize its amalgamation with any other bank or banks, or its winding up. The motion was agreed to and the Bill was introduced and read a first time.

## BANK OF UPPER CANADA

Mr. Street, in the absence of Hon. J. H. Cameron, introduced a Bill to settle the affairs of the Bank of Upper Canada.

## SPECIAL LETTERS PATENT

Mr. Irvine introduced a Bill to authorize the issue of letters patent to Jeremiah Cummings and Robert London, for a new invention called a "a vapour generator for heating purposes."

Mr. Mackenzie asked if the Government intended to allow the introduction of measures granting special patents when it was proposed that they themselves should introduce a Bill to regulate the whole subject.

Sir John A. Macdonald said it was only the usual courtesy of allowing Bills to be read a first time, which had prevented his objecting to this Bill. They felt there would be an inconsistency in allowing special legislation in the matter of patents when they were about to introduce a general Bill.

## PUBLIC WORKS REPORT

Hon. Mr. McDougall laid on the table the report of the Commissioner of Public Works for the year ending 30th June, 1866.

## GRAND TRUNK BILL

Mr. Irvine, in the absence of Mr. Shanly, introduced a Bill to amend the Grand Trunk arrangement Act of 1862, and for other purposes.

## SPEAKER OF THE HOUSE

Sir John A. Macdonald introduced a Bill respecting the Speaker of the House. He

explained that this was merely a reenactment of the law of the late Province of Canada which permitted the Speaker to call another member temporarily to the Chair when necessary.

#### THE FENIAN DANGER

**Sir John A. Macdonald** introduced a Bill removing the act of last session to authorize the apprehension and detention of persons suspected of committing or meditating acts of hostility against Her Majesty's Government. Sir John said this was a reenactment of the law passed on first day of last session and which continued till 30th June, 1867, or end of the coming session. It was a law which had been found to be of essential service. The circumstances existing at the present moment were not so threatening as those existing at the time when the law was passed. They were still such, however, as in the opinion of the Government required that it should remain on the Statute Book. The hazard of invasion was not so great now as it appeared to be at that time, but there could be no doubt that the organization which had threatened us still exists, and the Government had distinct evidence of increasing activity on the part of that body. It was beyond a doubt true and had been stated in the public prints that there had gone recently a very considerable deposit of arms at convenient points along the frontier for the invasion of what was the former Province of Canada. The Government therefore felt it would not be proper to allow Parliament to adjourn without having the law reenacted. The Fenian body were now pursuing a course of outrage in England. They were also moving in Ireland. They were manifestly a widely extended organization, and the Government should be authorized, if necessary, to arrest parties who might seem to be engaged in any unlawful enterprise against the peace of this country. (Hear, hear). When the House met again in February, if the circumstances then existing should warrant such a step, the Act might be at any time repealed.

**Hon. Mr. Dorion** enquired if it was intended to put the measure through all its stages at once, as was done last session.

**Sir John** said this was unnecessary, as the law was still in force. The Bill would be printed, and the House would have full time for considering it.

[Sir John A. Macdonald (Kingston)]

#### PUBLIC WORKS

**Hon. Mr. McDougall** introduced an Act respecting the Public Works of the Dominion of Canada. He said this was based on the Public Works Act of the late Province of Canada, and was adapted to the new situation in which we extend to the public works of the other Provinces.

#### LOCAL MINISTERS SITTING IN THE HOUSE OF COMMONS

**Sir John A. Macdonald** moved the following resolution:—Notice having been taken by a member of this House that the Hon. John Sandfield Macdonald, a member of the Executive Council and Attorney-General of the Province of Ontario, and the Hon. Christopher Dunkin, a member of the Executive Council and Treasurer of the Province of Quebec, have been sitting and voting in this House during the present session, it be, therefore, resolved that it be referred to the Standing Committee of Privileges and Elections to enquire whether the said John Sandfield Macdonald and Christopher Dunkin have a legal right to sit and vote in this House. Sir John said the Government were under the impression that that was the proper course to pursue. In regard to the point taken by the member for West Durham (Mr. Blake) objecting to members of the Privy Council sitting in this House, he could only say if the honourable gentlemen opposite decide to challenge their right to their seats they were prepared to maintain it.

**Mr. Blake**—Then, Sir, I may give notice now that at an early day I will raise that question.

**Dr. Tupper** said, he rose not to remark upon the motion, but to make a statement on behalf of the honourable member for Montreal West, who was suffering from severe illness, which would probably detain him from the House for a considerable length of time. In the course of the debate the other night, the member for Hants regretted that the member for Montreal West was not in his place, in order that he might reply to that honourable gentleman. He (Dr. Tupper) was desired to state that the member for Hants might at any time express himself freely with regard to the member for Montreal West, who, if worth while, would reply when he made his appearance in the House.

The motion was then carried.



## QUESTIONS

**Mr. Metcalfe** enquired whether the Government would provide for reducing the present postage on letters.

**Sir John A. Macdonald** replied that the measure, when introduced, would speak for itself.

**Hon. Mr. Connell** enquired whether the Government contemplated making any further survey of the different routes named for the line of the Intercolonial Railway, previous to locating and deciding on the line, and, if so, what lines they intend to survey. Also whether they have it in contemplation to introduce during the present Session a measure for the construction of the Intercolonial Railway?

**Sir John** said the Government intended, during the first part of this session, to introduce a measure for the construction of the Intercolonial Railway, and that they designed to have further reports and surveys made to assist in determining what route should be adopted.

**Mr. Savary** enquired whether it is the intention of the Government during the first part of this session to introduce to Parliament any measure to regulate the granting of letters patent for inventions, and if so, whether such measure will recognize the principle of reciprocity with American citizens, for want of which reciprocity heretofore no inventor in the Provinces, except residents of New Brunswick, have been able to secure patent rights in the United States on the same terms as American citizens.

**Sir John** said the Government intended to introduce a measure this session raising the law of patents.

**Mr. Tremblay** enquired whether it is the intention of the Government to erect a lighthouse at Portneuf Point; 2nd. Whether it is the intention of the Government, in accordance with the recommendation of the Board of Trade in Quebec, to erect lighthouses at Egg Island and Manicouagan Point, and place a floating light provided with a steam whistle, at the eastern extremity of Red Island Shoal, in order to diminish the dangers of the navigation of the River St. Lawrence?

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**Hon. Mr. McDougall** said that the government was receiving information with respect to the necessity of improving the lighthouses, and otherwise facilitating the navigation of the St. Lawrence, but no conclusion had yet been come to as to the works necessary at any particular point.

**Mr. Fortin** enquired whether it is the intention of the Government to bring forward, during the present session, any measure for the purchase by the Government of the telegraph lines erected in the Dominion of Canada, and thereby to bring about a union of the telegraphic and postal services, with the view of making the former more complete, more efficacious, and especially more economical, and of extending it to the shores of the Gulf of St. Lawrence and of the Great Lakes?

**Sir John A. Macdonald** said the Imperial Government had the subject under consideration, and the Canadian Government would await the result of their action.

**Mr. Masson (Soulanges)** enquired whether it is the intention of the Government to issue a new Commission of the Peace for the Dominion of Canada, and whether the right of appointing Justices of the Peace is vested in the Local Governments, for their respective Provinces?

**Sir John A. Macdonald** said it was not the intention of the Government. The question involved in the latter part of the enquiry came within the province of a legal tribunal.

**Mr. Fortier** enquired whether it is the intention of the Government to bring down, during the present session, any measure having for its object to render the navigation more safe and consequently more easy and more economical on the maritime coast of the Dominion of Canada, and in the Gulf and River St. Lawrence, and the Great Lakes, by the construction of additional lighthouses at the most dangerous points of the said coast, and the establishment of signals by means of cannon, bells, whistles, and such other apparatus to warn vessels of approaching danger when fogs, snow, or excessive darkness shut out the view of coast?

**Hon. Mr. McDougall** said the several subjects mentioned were under consideration.

**Mr. Jones (Halifax)**, enquired whether it is the intention of the Government to introduce, during the present session, any measure having for its object the extension of the bounty system of Canada over the fisheries of the whole Dominion?

**Hon. Sir John A. Macdonald** said the subject was under the consideration of the Government.

**Mr. Jones (Leeds)**, enquired whether it is the intention of the Government to impose an export duty on sawed lumber, stove-bolts and shingle-bolts leaving the Dominion of Canada?

**Hon. Sir John A. Macdonald** said it was not the present intention of the Government.

**Mr. Bertrand** enquired whether it is the intention of the Government to authorize the sale of the lands reserved for the Indians, and to fix the conditions upon which such lands may be sold to settlers who are desirous of occupying them?

**Hon. Mr. Langevin** said it was not in the power of the government to sell those lands without the consent of the Indians.

**Hon. Mr. Johnson** enquired whether it is the intention of the Government, when the surveys of the proposed lines for the Intercolonial Railway have been completed, and the Engineers' report thereof made to the Government, and before recommending any line for approval of the Imperial Government, to lay the Engineers' report before the House?

**Hon. Sir John A. Macdonald** said that all the questions relating to the Intercolonial Railway would come up when the Bill was before the House, which the Government had already promised to introduce.

**Mr. Thompson (Haldimand)** enquired whether the Government intend taking any steps with a view of bringing that portion of the Six Nation Indian Reserve in the county of Haldimand into market.

**Hon. Mr. Langevin** said if an offer was made for the purchase of the Reserve the Government would be prepared to negotiate with the Indians, with the view of ascertaining whether they were willing to surrender their lands.

[Mr. McDougall (Lanark North)]

### LIEUT.-COL. DENNIS

**Mr. McCallum** moved an address for the evidence and proceedings taken at the Court of Enquiry on the conduct of Lieut.-Col. Dennis, at Fort Erie, on the 2nd June, 1866.

**Hon. Mr. Cartier** said it was not the intention of Government to allow this address, because it would not conduce to the interests of the country to bring down the evidence asked for at this time.

**Mr. McCallum** regretted the unwillingness of the Government to bring down the papers in this case. He did not think it in the interest of the country and of the volunteer force to suppress evidence given at a court, no matter whether it showed Col. Dennis to have been remiss in his duty or otherwise. He believed the court had whitewashed Col. Dennis, and in order to form a fair judgment the country was entitled to know the result of the enquiry.

**Mr. Mackenzie** believed the regret a very reasonable one. Non-publicity of evidence had given a great deal of dissatisfaction in Western Canada. It was useless to attempt to bolster up the character of any officer of the volunteer force, and if the evidence in this case was not made public, it would lead to the impression that the charges brought against Colonel Dennis were true. If published, everybody could form their own opinion in regard to the matter. He (Mr. Mackenzie) believed that charges had also been made against another officer of the volunteers, a gentleman residing in the County of Simcoe, and in regard to them, the public press, no doubt maliciously, had made certain statements of a somewhat noteworthy character. It would be well to bring down evidence in this case also, so that the public might see that the charge of cowardice made against that officer was unfounded. (Hear, hear).

**Mr. Sproat** believed that it would be a great deal better for the volunteer force of Western Canada, if the evidence in this case was made public, and he trusted the Government would reconsider their decision not to bring the papers down. He spoke as an officer of volunteers, knowing the injurious effect of withholding all facts of this kind.

**Hon. Mr. Cartier** said, that all were animated by a desire to encourage the Volunteers and Service Militia of the Dominion. This enquiry took place more than a year ago, shortly after the Fenian invasion. Before

the honourable gentleman made this motion he should have asked for the report of the Court of Enquiry, and the charges made against Lieutenant-Colonel Dennis, and the general order published in relation to the matter for the information of gentlemen from New Brunswick and Nova Scotia, who might not be familiar with the case. The evidence taken before that court referred to personal and private matters, which should not be made public without very grave reasons. The honourable gentleman had not made out a case, showing the necessity of publishing those proceedings. They did not effect one officer alone, but the whole force. Every man in the country was obliged to answer the call of the country in case of danger, and it would not be encouraging to them to know that their private affairs would afterwards be made a subject of public criticism. He had been but a short time Minister of Militia, and was only made acquainted with what he knew by the opinion of the court. Colonel Dennis was a volunteer officer of long standing, and had shown constancy and perseverance. When it was announced that the Fenians were on the border, he had at once gone to the spot and had taken about sixty prisoners, some of whom were now in the penitentiary in Kingston. The opinion was that he had acted rashly, and the result was that he had taken the only prisoners captured in Upper Canada at the time. The Government in withholding the evidence thought they were acting in such a manner as to encourage volunteer officers, who could not be expected to act with the deliberation of regulars, to exert themselves to the best of their ability in defence of the country. He thought the House would agree with the Government in this matter. He had not read the evidence as he had desired, and as was his duty, but had been told it would take a week to do so.

**Mr. Street** said since the Minister of Militia has undertaken to give a history to the House of what took place at the Court of Enquiry, surely there can be no reason why the House should not have the evidence laid before them so that they might judge for themselves upon it—as representative of that portion of the country in which that unfortunate and disgraceful act took place, he could tell the House that his constituents were exceedingly anxious to have the evidence come before the country. There had been no satisfaction whatever expressed by anybody who had seen the unfortunate engagement of that day. It was not for the House to condemn Col. Dennis, nor does the motion ask for that. It

simply asks that the evidence be laid before them so that they might judge of the matter for themselves. All the papers should be sent down, since they had part of the facts they should in justice to Col. Dennis have the whole of them. Nothing could be more reasonable than that people who were ready at all times to encourage and support the volunteers should have the whole evidence before them, that they might judge whether the finding of the Court of Enquiry was right or not. He hoped the Minister of Militia would reconsider the matter and allow the papers to be brought down. He spoke the sentiments of his constituents who lived in the most exposed and dangerous part of the frontier.

**Mr. Anglin** said that after the speech of the Minister of Militia it was evident that simply as an act of justice to Col. Dennis the papers should be produced. That honourable gentleman had spoken in such a way as to create the impression that there was something in the conduct of that officer that would not bear enquiry. Col. Dennis had appealed to popular opinion and his (Mr. Anglin's) opinion had fully met one of the charges, the charge of cowardice. He had proved himself a brave officer.

**Sir John A. Macdonald** said that the Minister of Militia could only have one object in view in refusing to bring down the evidence, and that object was the interests of the volunteers of the country. In England, it is held in the highest degree unadvisable for such matters to be made the subject of public discussion, except in extreme and unusual cases. When officers did their best, if they acted with bravery in the field, it was not right that every little mistake they might make should be held up to public criticism. Col. Dennis was tried by a court, consisting of three officers and three gentlemen from Ontario, and they had acquitted him. Bringing down evidence now could do no good. It would but harass the officer's feelings. They could not reverse the decision. It is only as a court of appeal that the House could act upon it, and every gentleman would admit that they were an incapable tribunal. Such action would be injurious to the volunteer forces. Every officer would feel, when he went into the field, that he had to stand two fires—an enemy in front, and those who did not like him as an officer in the rear. Was that going to encourage our volunteers to take commissions as officers? (Hear, hear). Unless a strong case is made out, showing gross misconduct, the evidence should not be

made public. In the present instance, no such case exists. Even if Col. Dennis should request it, they had no right to make the evidence public. They would be laying down a wrong precedent. Let honourable gentlemen make the case their own—would they like, after having done their best on the field of battle, to have all their mistakes held up to public criticism, if they did not manage to exhibit the ability of a Wellington, or a Napoleon?

**Mr. Johnson** thought that it would be a dangerous precedent to withhold this information when it was asked for. There was discontent among the volunteers in consequence of the decision of the Court of Enquiry. This decision the Minister of Militia was willing to give, but he was not willing to give the discussion upon which it was founded. They could not judge whether the decision was right or wrong without having the papers, but if they were produced, we would let the Court of Enquiry know that the people's representatives would investigate their conduct. The rights of the people were involved in this case. They were here to protect their rights. If the evidence proved that the Court of Enquiry were right in their decision, then the people would be informed that their representatives, having the papers before them, concurred in that decision, and the country would be satisfied. What conclusion would they come to if that evidence was withheld? If the matter was properly investigated, Col. Dennis would perhaps come out better than he otherwise would, and the court itself would stand in a better position before the country.

**Hon. Mr. Howe** said it was evident that the House of Commons should not be the tribunal to judge in questions of that kind, as they might be influenced in their decision by party politics. Nevertheless, there should be some stringent enquiry made in regard to incompetent officers. He (Mr. Howe), believed Col. Dennis acted like a brave man, and tried to do what he thought to be his duty; but there were many officers who have no military capacity or spirit, who have obtained commissions from Government, because they have friends in authority. Against those incompetent officers they were bound to protect the young men of the country. He would suggest to the Minister of Militia to allow the gentleman who made this motion to look at the papers in his office to see whether there was any reason for interfering with the deci-

sion of the Court of Enquiry. This, he thought, would have a salutary effect upon the public mind.

**Mr. Masson (Terrebonne)** said if they admitted the principle by bringing the case of Col. Dennis before Parliament, they might bring before the House every case which came before a Court of Enquiry, and these cases would have to be decided by men who knew nothing about the matter. If the public were not satisfied with the decision of the Court of Enquiry, the House was omnipotent, and could make it a subject of enquiry themselves; but they should not force the military to give up evidence taken before their courts. His honourable friend from Hants (Mr. Howe) said the men in ranks, the volunteers, must be protected as well as the officers. In this case, the result showed that the men have not been much dissatisfied with the decision of the Court of Enquiry, as many have enlisted within a short time.

**Mr. Benson** said there was much interest felt in his county regarding this matter, and a great deal of dissatisfaction was felt in regard to the result of the Court of Enquiry. The Minister of Militia should know best whether the public interest would be served by the production of these papers; but he (Mr. Benson) did not think he had given good reasons for withholding them.

**Hon. Mr. Chauveau** said that in European countries all questions relating to military matters were left to the discretion of Governments. The present proceeding would discourage the militia and volunteers, without any good practical result.

**Mr. Ferguson** desired to say a few words on the subject under discussion, and first, as regards the statement made that the whole Militia force felt dissatisfied with Col. Dennis and the decision arrived at by the Court of Enquiry referred to, he could bear testimony of the very reverse being the fact, that he (Mr. F.) had knowledge of the opinions of very many officers and men of the Volunteer force between Lakes Ontario and Huron, and that instead of dissatisfaction prevailing amongst them, it was and is a cause of gratification that Col. Dennis was so honourably acquitted by the Court of Enquiry, and that he is still continued an officer in the force, and that if he had been removed as at one time was—and previous to the investigation—intimated through the medium of the press, it would have caused universal dissatisfaction wherever that worthy and respected officer

[Sir John A. Macdonald (Kingston)]

was known. The honourable member for Lambton in speaking on the motion of the member for Monk stepped out of his way and made allusion to an officer in Simcoe, and as he (Mr. F.) was that individual, he would crave the indulgence of the House while he briefly stated the facts, and said that his own Lieutenant took it upon himself to make complaint against him on several matters connected with company affairs and occurrences on the way to Fort Erie, that a Court of Enquiry was appointed and held at Cookstown, that some 18 witnesses were produced by the Lieutenant in proof of the charges preferred and heard, and some 13 other members of the company brought forward by him (Mr. Ferguson) who were examined; also, that he had some 22 witnesses more, and certainly the most steady, reliable and credible in the whole company, ready and willing to give testimony in the case. Col. Dennis, knowing that fact, intimated that he had heard sufficient to satisfy him that the charges made were not sustained by evidence, and that he felt it unnecessary to continue the investigation further for the present. Stating as he did that after he went to Toronto, and considered the evidence taken insufficient to acquit him, (Mr. F.), he would then return and take the evidence of the remaining 22 witnesses, all of which he well understood would be in his behalf. That from that period up to the present, he had not heard what the report or result was, other than that upon one occasion he (Mr. F.) spoke to Col. Macdougall on the subject, and was informed that he deemed it unnecessary even to call the attention of His Excellency the Governor-General to the matter. Such are the facts, and facts that could not be gainsayed, and which he trusted would be sent forth by the press, so that Col. Dennis, who is the best judge of the truth, or otherwise, of the statements he (Mr. F.) had made. He was obliged to the honourable member for Lambton for the allusion he had made, and affording him (Mr. F.) the opportunity of saying what he had, only regretting that time did not admit of his entering more fully into the details of the case.

The House then rose.

After the recess—

**Mr. Blanchet** thought the Minister of Justice took the proper view of the question. It was not the conduct of Colonel Dennis that was now under discussion, but of the whole volunteer force. The British Parliament made enquiries into the domestication of the army,

but that and enquiring into the conduct of individual officers were two different things. The conduct of an officer who had done his duty could not be brought under investigation of the House without great injustice.

**Mr. Mackenzie** understood that one reason why the report of the Court of Enquiry was asked for was precisely because Colonel Dennis was charged with cowardice.

**The Minister of Justice** said no such charge was made.

**Mr. Mackenzie**—it was not made before the Court, but it was made in the country. It was said that he changed his appearance and hid himself in a hay stack.

**Sir John**—It was not made before the Court, how could it take cognizance of it?

**Mr. Mackenzie**—We really did not know what was before the Court. He had no doubt the honourable member who moved in this matter could, but for motives of delicacy, have given very satisfactory reasons for pressing this motion. The inquiry in the case of Colonel Booker was not considered satisfactory by the country, and this succeeding it, would deepen the unfavourable impression on the public mind; and in order to remove that impression and protect the volunteers from such charges, he thought the papers should be granted.

**Hon. Col. Gray** said, he was not sufficiently acquainted with the case, but so far as he knew the officer had been charged and handsomely acquitted. Parliament was the ultimate tribunal. Did the party accused complain? On the contrary, he was well satisfied. The question then was: was there any public interest that the report should be published? A Court of Enquiry was a preliminary investigation, and like the proceeding of a grand jury its deliberations were private; if there was no bill the evidence was never published. If the officer was acquitted by the enquiry there was nothing against him. He argued that there was no reason for the motion except the curiosity of the locality where the action took place. If blunders were committed pointing them out would give evidence to the enemy of a weakness which it was desirable to conceal. The proceedings in such cases in the regular service were secret, except with the permission of the Commanding officer.

**Mr. Cartwright** said the motion, if it meant anything, meant that this House should constitute itself into a Court of Appeal to try the conduct of the Court of Enquiry.

**Hon. Mr. Huntington** said if the people of his constituency had felt that they had suffered from blunders, whether of Volunteers or Regulars, he would have felt it his duty to bring the matter before this House. The fact that the honourable member for Welland had said that his constituents, who were on the spot, demanded the evidence was sufficient to induce him to vote for the motion.

**Hon. Mr. Smith** said that the publicity in the ordinary Courts had a salutary effect. Here was an offence—a servant of the Government—tried by a secret tribunal, and will the people never be permitted to know anything about it? If the Government had said it was inexpedient he would have acquiesced, but he could not admit the broad ground that the people should not know the result of such investigations.

**Dr. Parker** said it was sufficient reason for the motion that there was a Court of Enquiry and a report made. It tended to injure the volunteer service for officers to be retained in the service who were incompetent.

**Mr. Blake** said the object of the motion was simply to place the House in possession of certain information. When that was obtained, it would then be for a member of the House, if it warranted further discussion to bring the matter before the House, and ask the House to deal with it, but this was merely a preliminary motion, and it did not necessarily follow that when the papers were brought down the honourable member for Monk would ask the House to take further action on it. He agreed that if the Government stated on their responsibility that they had examined the evidence, and the circumstances were such as to render it improper to make that evidence public, a very strong case would have to be made out to induce the House to insist upon the papers in the face of such a statement; but no such statement had been made by the Minister of Militia. He said he had not read the evidence, but that nevertheless the Government must resist the motion. He (Mr. Blake) thought that no case had been made out for the Government adopting this course.

**Mr. Campbell** was of opinion that as a general rule, when in an application for papers the Government declared to the House that in their opinion the public interests would be injured by the production of the papers, the demand should not be insisted on. The enquiry in this instance had been made in the ordinary way; the matter was placed

[Mr. Cartwright (Lennox)]

in the hands of gentlemen whom he must consider to have been competent to judge of the conduct of the officer complained of. It was competent for those who now complained that the report was unsatisfactory to have gone to the Court of Enquiry, and there made the complaints they were now making. If they did not do so, they were precluded from questioning the report now, if they did not, he thought they should forever hold their peace. But suppose the papers were produced, what then? Was this House going to assume the prerogative or powers of a Court of Appeal? He thought the House would be stepping beyond its province to do any such thing.

**Mr. McDougall** said the ground taken by the Government, as announced by the Minister of Militia, was that no sufficient case had been made out for the interference of the House. It was not expedient in the interest of the Militia service, and in the interest of the country, that this House, on the mere statement of honourable members that people were dissatisfied with the finding of the Court of Enquiry, should call upon the Government to bring down the evidence on which that finding was based. The member for Westmoreland (Mr. Smith) had mainly confined his argument to the point of secrecy, and had held that the very fact of its having been a secret enquiry furnished a reason why the House should drag the proceedings into daylight and spread them before the country. He (Mr. McDougall) thought there was no force in such an argument. It had been found expedient to hold enquiries of this kind with closed doors, for the purpose, among others, as he understood, to get the fullest possible information on the subject of enquiry. A person, under such circumstances, would state more clearly and fully what he knew, when his evidence affected an individual with whom perhaps he is in close relations than he would in open court, where he knew his statements would go into the newspapers next morning.

**Mr. Huntington** adverted to the position taken by the member for Guysboro (Mr. Campbell), that when Government stated explicitly that it was not in the interest of the public service that certain papers should be produced, it was the duty of the House to accept that statement. He (Mr. Huntington) granted that position, and if the Minister of Militia would state that the publication of these papers would be detrimental to the public service there could be no doubt the House should refrain from demanding them.

But it was a very different thing when a minister rose and said that passing a certain motion would be injurious to the interests of the country. They would say the same, no doubt, of a motion of want of confidence. He did not feel that any such statement could deter him from voting for this motion.

**Mr. Johnson** could not agree with the Chief Commissioner of Public Works that they could get more correct testimony before a secret tribunal than a public one. He considered the great safeguard was to have the public eye upon the witness. This House could not try the case over again; but they had a right to know upon what principle it was discharged when before the Court of Enquiry. When fathers who have lost their sons upon the field of battle ask for information, shall it not be given? We are asked why we do not give some grounds for our application for these papers. The case is taken before a secret tribunal and the evidence is locked up. How then can it be expected that grounds will be furnished. To require them is not according to Parliamentary usage or public justice. If these proceedings were pending, it would be improper to give these papers; but after these proceedings are ended, unless the Government are prepared to say that an injustice would be done to the public service, the House has a right to the evidence.

**Mr. Pope** understood his honourable friend to say, as the papers were locked up, and the evidence was in the possession of the Government how could they make a case out? He (Mr. Pope) would ask, where were the fathers who have lost their sons on the battlefield who are dissatisfied with this Court of Enquiry? Why does not the honourable gentleman who made this motion, say the people call for this motion, and he wants the papers brought down to base some action upon them? The honourable gentleman has told us that he did not intend to pursue the case any further, but he asked for the papers because the people in that section of the country were dissatisfied, from some cause or other, with the Court of Enquiry. They wanted to have the evidence published in order to have their curiosity satisfied. He (Mr. Pope) admitted the right of the people's representatives to enquire into every such case; but if there was no object in view, he would oppose the motion.

**Sir John A. Macdonald** said that not a gentleman who had spoken on the subject was willing to take the responsibility of bringing up the charge against Col. Dennis.

That officer had asked for a Court of Enquiry, and that Court had acquitted him. There was not a case now before the country. No complaint was made by any person, not even by the mover of the motion. The ground he (Sir John) took was, that it was inexpedient and against the interests of the volunteer and militia organization to grant this motion, unless a strong case was made out. He cited instances in English history to prove that the proceedings of Courts of Enquiry should be kept secret. There might be a feeling among certain people to have the evidence in this case made public, but they should not allow this feeling to lead them to establish wrong precedents which would be quoted as authority for all time to come.

**Mr. McCallum** said that the general opinion was that the evidence taken at the Court of Enquiry did not warrant the decision that was given. If Col. Dennis had done his duty, why refuse the evidence? If not, the country should know it.

**Mr. Lawson** said the Court of Enquiry was composed of just and honourable men, and came to a just conclusion. Even cases before a Justice of the Peace might be conducted with closed doors, and why, then, should this Court of Enquiry be made public, when it was the general rule for such courts to be held with closed doors. He would oppose the motion.

**Mr. Sproat** did not believe Col. Dennis had acted as reported, or there would have been some definite charges. He believed he came out of this discussion better than before this arose. Since the Minister of Justice declared it would be injurious to the public interests to produce the papers, he (Mr. Sproat) would consider it his duty to oppose the motion, and asked his honourable friend to withdraw the motion.

**Mr. Rymal** considered the House entitled to know whether the officer in question was competent to discharge the duties which devolved upon him. The Minister of Militia acknowledged that there were reports of which he knew nothing. It appeared to him that a gross wrong would be done to the people of Upper Canada if these papers were refused. He knew that the people whence he hailed were strongly impressed with the belief that our Volunteer officers were incompetent. It sometimes happened that those who ran rashly into a net prepared for them, ran rashly out of it again. (Hear and laughter). Because a man runs into a hay loft with his

head shaved, that was no recommendation to those who might be called upon to follow in battle.

### ALGOMA

**Mr. Blake** moved an address for copies of letters or circulars addressed by the late Commissioner of Crown Lands to the electors of the District of Algoma, prior to the recent general election. Carried.

### GOVERNMENT EMPLOYEES

**Mr. Connell** moved an address for returns showing the names of officers connected with Parliament or the Departmental Buildings, with the salaries paid, etc. Carried.

### ISLE OF JESUS ROAD CO.

**Mr. Bellerose** moved that the Clerk do call upon the proper parties for a statement respecting the roads of the Isle of Jesus Turnpike Road Company.

**Mr. Dunkin** asked whether this was not a matter appertaining to the Local Legislature, with which the House had nothing to do.

**Mr. Bellerose** said the statement required would only have reference to roads possessed by the Company on the 1st July. Carried.

### INTERFERENCE OF THE FEDERAL GOVERNMENT IN ONTARIO

**Dr. Parker** moved an address for copies of instructions, correspondence and despatches from the Government of the Dominion to the Lieutenant-Governor of Ontario. He commented on the facts connected with the formation of the combination Government for the Province of Ontario, and contended that there had been improper interference by the Government of the Dominion. The member for Cornwall had been called on to form a Government at the request of the Premier of the Dominion, who gave him advice and assistance in the work he had in hand. After the formation of the Government, those two honourable gentlemen travelled through the country like mendicants to influence the elections then pending, and it was evidently an understanding between them that the powerful interests of both Governments should be turned into same channel, and that the Local Government should be made subservient to the success of the honourable and gallant knight at the head of the Government. This was the more extraordinary when it is

[Mr. Rymal (Wentworth South)]

remembered how hostile the relations of these honourable gentlemen had been prior to the consummation of Confederation—how bitterly the member for Cornwall had opposed the gallant knight and how the latter had made charges against the member for Cornwall, which affected even his honour as a public man. Now, he (Dr. Parker) referred to these facts and moved for this correspondence, because he believed the precedent was a dangerous one, and if carried out by future governments, would tend to destroy and overthrow the Government of the Dominion. In the Province of Quebec, a majority was allowed for that Government according to its own wishes; but in Ontario, a different course was pursued for the purpose of depriving the majority of its just rights. He protested against the application of one system in one Province and a different one in another. If the system of intrigue which characterized the formation of the Government and the recent elections in Ontario were to be pursued by future Governments of the Dominion, and like endeavours made to subvert the rights of majorities in the provinces, there would be a blow given to the constitution which would go far to overthrow it.

**Sir John A. Macdonald** asked whether the honourable member desired all the correspondence between the Lieutenant-Governor and the Government of the Dominion, or only that which referred to the formation of the Local Government of Ontario.

**Dr. Parker** said the whole correspondence could not be very extensive, and might be supplied, for there were several subjects of interest involved—the dispute for instance as to magistrate appointments. If the Government objected, however, he would only ask for the correspondence which had taken place up to the middle of August.

**Sir John A. Macdonald** replied humorously that the request of the honourable gentleman could be easily complied with, for the correspondence relative to the formation of the Government of Ontario was covered by a word of three letters—*nil*. There were no instructions to the Lieutenant-Governor—no despatches—no correspondence—and the only thing issued on the advice of the Government of the Dominion was the commission to General Stisted appointing him Lieutenant-Governor. But the honourable gentleman (Dr. Parker) desired to have a fling at the member for Cornwall and himself (Sir John A.), and had therefore brought this motion



before the House. What right, however, had he, who complained of interference with the Local Government of Ontario, to bring a subject of this kind before the House of Commons, which had nothing to do with it? That Government was independent of this Parliament, and he (Sir John) did not doubt that it was capable of maintaining its rights. He glanced at the circumstances connected with the formation of the Government of Ontario, and justified the course pursued by the member for Cornwall in forming a Government in harmony with the Privy Council, pointing to the results of the elections as satisfactory proof that that course met the approval of the people. He reflected rather severely on the fickle support the member for Wellington Centre had formerly given the member for Cornwall, and on his generally erratic and inconsistent course. He (Sir John A.) had gone before the electors to explain the conduct and views of the Government, and said he was proud to have the opportunity of standing before his fellow countrymen to give account of what he had done, and ask renewed confidence at their hands. He would do it again when occasion arose; and he was told by his friends that if he had done it before, he would have had a stronger party in the House in former years. Because, by appearing before the people, he was enabled to refute many calumnies, and remove many misrepresentations regarding his political course.

Mr. Mackenzie said the Minister of Justice had made a most undeserved attack on the member for Wellington Centre. He had spoken in a strong manner of the inconsistency of that gentleman's course in Parliament, and of the fitful support he had given the administration of the member for Cornwall. He (Mr. MacKenzie) ventured to assert that the adhesion of his friend to that Government was unwavering. The Coalition Government of 1864, also of which the learned knight was a member, received the unwavering, the almost too unwavering, support of his honourable friend. So anxious was he to maintain good faith with the Government that he voted with them last session on occasions when he (Mr. McKenzie) thought his duty to his party and to his country might have dictated a different course. However, they might speak of him now they had not thought it beneath them to make special journeys to obtain the adhesion of his honourable friend. The Minister of Public Works went to Hamilton to convene secretly some members of the party, and a

special invitation, he understood, was sent to the member for Wellington Centre. They thought they had him in their net, but finding that they were mistaken, another Minister went shortly afterwards to Guelph to bring out opposition against him. (Hear, hear). The motion, he presumed, would not bring out any information of importance. The House could not ask for verbal communication which passed between Ministers of the Dominion and General Stisted, or the member for Cornwall; but it was well known that the member for Cornwall came to Ottawa, and that the whole programme was arranged between him and the Premier of the Dominion. The honourable gentleman would not deny that.

**Sir John A. Macdonald**—I do deny that.

**Mr. Mackenzie**—Do you deny that you had a conversation with him on the subject, before he was Premier?

**Sir John A. Macdonald**—Yes.

**Mr. Mackenzie** said that the member for Cornwall had himself admitted it in his (Mr. Mackenzie's) county, and also when he occupied a platform beside the Minister of Justice in London. He admitted that he was asked by gentlemen opposite to form a Coalition Government.

**Sir John A. Macdonald**—That is a different affair.

**Hon. John Sandfield Macdonald**—I never did so.

**Mr. Mackenzie** said the member for Cornwall had admitted it to himself, and all that he denied in London was that he had accepted office on condition of forming a Coalition Government. Of course there was no regular contract which could be brought before this House. But there could be no doubt that the honourable gentleman did enter into a bargain the design of which was to destroy his own party. Mr. Mackenzie went on to refer to the circumstances connected with the organization of the Ontario Government to show that this was the case, and to the crusade made on his county, during the late election, by the Minister of Public Works and the Premier of Ontario.

**Mr. Blake** contended that the member for Wellington Centre had acted in a strictly constitutional manner in bringing the subject of his motion before the House and expressed his regret that he should have drawn from

the Apostles of Peace, harmony, and conciliation an answer so couched as to be eminently calculated to renew those sources of acrimonious debate which they condemned so much in the past. (Hear.) He argued that the question was not one merely for consideration of the Local Legislature. If this constitution was to work well, there must be on the part of the Local Governments a perfect independence of the Central Government and any interference with this should be guarded against by the Parliament of the Dominion as well as the Local Parliament. He denied that it was essential that the Central and Local Governments should be in harmony. As a matter of fact, there was no such harmony so far as Nova Scotia was concerned and but for efforts of an extraordinary character there would have been a similar diversity with regard to the Government of Ontario. He admitted that the honourable gentleman opposite did not, because he was a minister of the Dominion, abnegate his rights as a citizen of Ontario; but the question arose how far he could act as he did during the late election, without being liable to the charge that he was using his power as a minister of the Crown to influence the election. And the case was worse when the two Premiers made an alliance to carry the election in the interest of the two Governments. But as regarded the visit of the Minister of Justice to his own (Mr. Blake's) constituency on the day of nomination, it did him good service, giving him at least one hundred additional votes. He hoped he would always come on such occasions to assist in swelling his majority.

**Sir John A. Macdonald**—I won't go. (Laughter).

**Mr. McDougall** said that he had listened with as much complacency as he could command to the references which had been made to himself; but since the gentlemen opposite had taken so much notice of him on this occasion, he thought it well to say a word or two; he would like to know at the outset which of the gentlemen opposite he could look upon as leader of that great party which was organized at the Toronto Convention. The member for Lambton complained of his (Mr. McDougall's) course during the elections. As the Minister of Justice had remarked, if the position of the Government was right, it was their duty to the country, as well as to themselves, to take every opportunity to defend their policy before the people in opposition to the assaults that were made upon it; he had visited as many counties, addressed as

[Mr. Blake (Durham West)]

many meetings as he could; he had a visit from his friend, the member for Lambton, but that member had found his efforts fruitless, and he (Mr. McDougall) was returned for that radical county by acclamation. In other places they had fought the battle, and what was the result. At the Toronto Convention, to which he and his friend, the Minister of Inland Revenue, received so shabby an invitation, they were told that sixty, at the very least, would be elected in opposition to the Government; but our opinion, after consulting the members of the Reform party—the member for Wellington Centre among the rest—was different. They laid their case before the county, and the result was, that instead of sixty opposed to the Government, there were how many? Could they count 16? As to his personal following, he did not desire any; but he would ask the member for Lambton, where was his following? The Government had a large majority of the present House, should have so long as their policy was approved of by this House. So far as himself was concerned, he believed a large majority of the Liberal party in Ontario approved of the course which he, the Minister of Inland Revenue, and the President of the Council had taken, which they had agreed to act with the other members of the Cabinet.

**Dr. Parker** said the Minister of Public Works had done all he could to overthrow his Liberal friends at the last elections. He admitted Sir John A. Macdonald had a majority in the House, but the Minister of Public Works and the Minister of Inland Revenue had not even a corporal's guard of followers. What he objected to was that there was a compact and arrangement between the two Premiers in regard to the formation of the Local Governments. The proceedings during the late elections in Ontario were without precedent, except it might be in the border countries in the States. He denied that the member for Cornwall ever used any unfair means to secure his support. He repeated that the Ontario Cabinet was brought about by intrigue.

**Mr. Huntington** thought the debate exhibited something of the spirit of the olden time. At the time of the Coalition of 1864 he had ventured to predict something like what was now witnessed. There had ceased to be a Coalition now. The Liberals who had gone over were virtually members of the Conservative party. The lion and lamb had lain down together. If this great boon of

Confederation was to be so great a boon as it was represented, and to raise us to our position as a third power, he thought that the trifling disadvantages suffered by these gentlemen were more than compensated by the success which had resulted. Referring to the Dual representation, he hoped that the Local Legislatures would set their foot on Coalitions between the Local and the General Governments. Men could not sit and act concertedly in this Legislature, and then go away to the Local Legislatures, and act independently of party issues raised here.

**Hon. Sandfield Macdonald** thought that his honourable friend, Mr. Mackenzie, should have come to him, and found whether his statements were correct, before making them in the House. He (Mr. Macdonald) still stood by the declaration he made last session, that Confederation being an accomplished fact, he was prepared to give it a fair support. The member for Welland knew perfectly well that there was no intrigue, but an honest understanding between parties. He (Sandfield) was simply asked whether he would accept his present position. If he went to Upper Canada it was simply to defend himself from the misrepresenting of the *Globe*, and that he was successful was, he thought, shown by the small following of the member for Lambton. He had undertaken to form a Government for Ontario, and there he would defend himself. He had never defended the Minister of Justice in his peregrinations through the country. When asked as to the conduct of the Conservatives, he referred the people to the journals of the House. When enquired of respecting Reformers he defended them. He could show as clear a record as any one on this side of the Atlantic. He was always in favour of liberal views and was so still.

**Sir John A. Macdonald** corroborated Sandfield's statement respecting the formation of the Local Government. He (Sandfield) would accept of no interferences.

**Hon. Mr. Howe** thought the wisest way was to bury past party differences. Let them press the Ministry to bring down their measures as fast as they can. If, upon fair trial, they were found wanting, an Opposition would soon spring up. (Hear, hear).

**Mr. Mackenzie** was glad the honourable member for Hants had adopted the policy of burying the past. He hoped he would not impose a policy on Ontario which he would repudiate for himself, but that he would now bury the past and accept the situation. He proceeded to reply to the speech of the member for Cornwall. He was, he must say, with all his experience of that honourable gentleman, astonished to hear him denounce the Coalition of 1864 as unholy, and to hear the small part he (Mr. Mackenzie) had in the formation of that Coalition. When he had formed a Coalition with the same parties himself in 1867, the gentlemen he had allied himself with were the most devoted followers of the honourable gentleman opposite. But as regarded the Coalition of 1864, it was not true that he (Mr. Mackenzie) had urged its formation. He had opposed it. He had moved that the Reform party support the Government outside, in their measures to settle the constitutional difficulties, and had only consented to support the Coalition when overborne by a large majority of his party, and it was the member for Cornwall who himself moved that Reformers should enter the Coalition, which he now declared as unholy.

#### NOTICES OF MOTION

**Sir John A. Macdonald**—That on the second reading of the Act respecting the Commercial Bank of Canada, he will move that the 62nd rule of the House be suspended with regard to said Bill.

**Mr. Bodwell**—Enquiry whether it is the intention of Government in the Bill respecting patents of invention to extend to citizens of the United States the same facilities for obtaining patents in Canada, that is afforded to citizens of this Dominion, and whether the privileges under patents now enjoyed by citizens of the United States in the Province of New Brunswick, are to be extended to other parts of the Dominion.

**Mr. D. A. McDonald**—Address for a statement showing the quantity of water leased on the Lachine Canal, to whom and at what rate leased, the amount in arrears, and the names of the party or parties so in arrears.

The House adjourned at a quarter to one o'clock.



## HOUSE OF COMMONS

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Friday, November 22, 1867

The Speaker took the Chair at three o'clock.

### CONTINGENCIES COMMITTEE

Hon. Mr. Langevin presented the first report of the Standing Committee on contingencies, and moved that its quorum be reduced to seven members. Carried.

### COMMITTEE ON EXPIRING LAWS

Hon. Mr. Gray presented the first report of the Standing Committee on expiring laws, and moved that its quorum be reduced to five members. Carried.

### PUBLIC ACCOUNTS COMMITTEE

Hon. Mr. Howland presented the first report of the Standing Committee on Public Accounts, and moved that its quorum be reduced to seven members; also, that the public accounts for the year ending 30th June, 1866, be referred to the said committee. Carried.

### COMMITTEE ON PRINTING

Mr. Mackenzie presented the first report of the joint Committee on Printing, and moved that its quorum be reduced to seven members. Carried.

### INTERCOLONIAL RAILWAY LOAN

Sir John A. Macdonald gave notice that on Tuesday he would move that the House do, on Thursday, resolve itself into Committee of the Whole to consider certain resolutions respecting the loan of three millions sterling for the Intercolonial Railway.

### RIGHT OF MINISTERS TO SIT IN THE HOUSE

Mr. Blake gave notice that, on Monday, he would call the attention of the House to a subject alluded to in a former debate, namely, the right of his honourable friends on the Treasury benches to occupy their seats in this House. (Hear, hear, and laughter).

### INDEMNITY TO MEMBERS

On motion of Sir John A. Macdonald the second reading of the Bill relating to Indemnity of Members and Salaries of the Speakers of both Houses of Parliament was taken up.

Hon. Mr. Dorion said the theory of the sessional allowance of six hundred dollars was, that as the session was expected to last one hundred days the pay would be six dollars a day. As a matter of fact, however, in 1865 there were two sessions, lasting ninety-nine days, and members got eleven dollars seventy cents per day for one session and \$15 for the other. In 1863, also, there were two sessions, and the pay equalled \$9.67 per day in the one session, and \$7.69 in the other. The true principle, he contended, was a fixed per diem allowance. He did not intend to divide the House, but did not wish by his silence to have it supposed that he acquiesced in the Bill.

Mr. Blake said it would be a waste of time to propose an amendment to the Bill. He admitted that the Government had a reasonable excuse for the principle upon which the Bill was based, it having been admitted by the Parliament of the late Province of Canada, still he must characterize it as a vicious principle. With regard to mileage, he hoped a better system would be arrived at. The honourable Minister of Justice had said the principle of constructive mileage was wrong and immoral. He agreed with the position of the leader of the Government in that respect. He referred to the views enunciated by the members from the Maritime Provinces. They had only the statements of a few honourable members as to the facts. He suggested that ten cents per mile was too much in Upper Canada, and showed that his own mileage at that rate would be more than double what it cost him. He proposed that every member should receive what he would certify to be his necessary travelling expenses up to a maximum of ten cents per mile.

He contended that instead of 10¢ a mile which so far as Canada was concerned gave the members \$30.00 more than their actual travelling expenses, members should receive what they declared to have been their actual expenses—not to exceed 10c a mile. He intimated that he would move an amendment to that effect in committee of the whole.

**Hon. Sir John A. Macdonald** said it was essential at the opening of a new Parliament that a measure should be introduced, and therefore the Government had taken that on the statute book of the late Province, against which there had been no objection. He knew that honourable members thought \$6 not sufficient for expenses of members of Parliament. Under the Bill they would receive a little over \$6, but very little. The matter was in the hands of the House to deal with. He thought there might be a fixed rate of mileage, and that members should not be compelled to contract their comforts for fear they should be accused of intailing too great a cost on the country. He thought if his honourable friend reduced the mileage much more members would have to travel on foot.

He thought \$6 a day not quite sufficient on account of the increased expenses of living, but as the people had been accustomed to that rate they might not like to see it raised. As sessions of Parliament would probably not exceed three months, the sessional allowance would in fact give a little more than \$6 per day which was only fair. As regarded the mileage, he thought it better to have a fixed rate than to require from members a declaration as to their actual expenses. The accounts would be contrasted and it might afterwards be thrown in face of a member on the hustings by an opposing candidate, that in going to the seat of Government he had travelled more like a prince than a representative of homespun people in the back woods. Members also would be looking what the others had charged before they made their declaration, and he was sure the great economical party of which his friend from West Durham was a member, would take care that their expenses were six pence less than the amounts charged by gentlemen on his side. (Laughter).

[Mr. Blake (Durham West)]

**Hon. John Sandfield Macdonald** said he would not take any objections to the proposal of the Government. Under the old system the constituents of honourable members had not complained, and it gave advantages to the Government.

**Mr. Holton** objected to the fact that the system did give the Government of the day an advantage, and for that reason he opposed it.

**Hon. Mr. Johnson** called attention to the provisions of the rules of the House, which provided that no member should vote upon a question in which he was personally interested.

**Mr. F. Jones** said the honourable member for Chateauguay had held the purse-strings of the Province, and did not at that time think it necessary to suggest indications of the amount of indemnity of members. He argued that a rate per diem and certified mileage would increase the expense.

**Mr. Walsh** said the indemnity was not for time spent by members, but for expenses. He objected to the Bill because it gave them increased indemnity. He thought this session should not be made an exceptional one, but that the two should be considered as one, and members receive allowance as if for one session. He approved of the present system of mileage.

He hoped questions would not be taken from a New Brunswick or Nova Scotian point of view, but upon their merits. The gentleman opposite did not propose a reduction, but only that individual members might reduce it if they saw fit. He proposed that this session with regard to mileage, should not be considered as two sessions but one.

The Bill was read a second time.

On motion the House went into committee on the Bill—**Hon. Mr. Smith** in the Chair.

**Mr. Chamberlain** said if the session extended beyond 90 days the members should have \$600, but unless it did so extend, they should have but \$6 per day.

**Mr. Blake** said his character as an independent member should not be impugned by imputing motives, as had been done by the honourable member for Norfolk. He moved his amendment respecting mileage.

**Mr. F. Jones** said the honourable member for West Durham was the first to accuse honourable members of mercenary motives. He (Mr. J.) said his experience of honourable members for seven years was that honourable gentlemen were above such imputations.

**Mr. Walsh** said a fair allowance for mileage should be made, placing all upon the same footing, or none at all.

The amendment was put and lost.

**Sir John A. Macdonald**, moved that the committee rise and report the bill without amendment, and a third reading be ordered on Monday next. Carried.

#### BEAUHARNOIS ELECTION PETITION

On the question of receiving the petition presented on Wednesday against the return of Mr. Cayley for Beauharnois,

**Hon. Mr. Holton** said the law provided that electoral petitions must be presented within the first fourteen days of the session. This petition was presented on the fifteenth.

**Sir John A. Macdonald** said the objection suggested two questions:—First, Whether Wednesday was the fourteenth or fifteenth day of the session—that is, whether the session commenced on the 6th instant, when His Excellency directed the House to elect a Speaker, or on the following day, when the Governor delivered his speech. Secondly—if the fourteen days had elapsed, whether objections should be taken to the reception of the petition, or whether it was a preliminary objection to be taken before the Election Committee. He suggested that the motion stand till to-morrow. Agreed.

#### THE FRENCH LANGUAGE

Several routine motions having been carried, which had been read to the House only in English.

**Hon. Mr. Chauveau** complained of the frequency of this practice, and claimed that the whole of the routine business should be transacted in both languages. There were five or six members of the House who did not under-

stand English at all, and more than twenty others who could not understand a statement in that language so intelligibly as in French.

**Hon. Mr. Dunkin** hoped that in future the suggestion of his honourable friend would be carried out. It should be remembered, that in the Quebec Parliament there would be an English minority who did not understand French, and the same right which would be claimed for the minority to have all proceedings in both languages should also be extended to the minority here.

**Speaker Cockburn** said that hitherto all motions, except those of mere routine, had been put in both languages. He would see that in future the practice included all proceedings.

#### PROVINCIAL NOTES

The orders of the day being called,

**Hon. Mr. Holton** said that when the Minister of Justice read a memorandum the other evening, stating the subjects which in this part of the session would be brought before the House, he (Mr. Holton) failed to catch the word "currency". We were at present in this anomalous position that we had money, to wit, the Provincial notes, which was legal tender in this part of the Dominion, but not in the Lower Provinces. If they were to assimilate the dues payable to Government, they should assimilate at the same time the money in which those dues were payable.

**Sir John** said the question whether such a measure would be introduced in the first part of the session was under consideration of the Government.

#### COMMERCIAL BANK

On motion of Sir J. A. Macdonald, the Bill to amend the Act of Incorporation of the Commercial Bank, to authorize its amalgamation with any other bank or banks, or its winding up, was read a second time, and referred to the Standing Committee on Banking and Commerce.

On motion of Sir John A. Macdonald, the 62nd rule of the House was suspended in reference to the said Bill.

### SUPPLY TO HER MAJESTY

On motion of Sir John A. Macdonald, the House went into Committee of the Whole, and adopted a resolution "That a supply be granted to Her Majesty," which was reported to the House.

### INTERCOLONIAL R.R. TERMINUS

Mr. Blanchet moved an address for correspondence relative to the terminus of the railway intended between Quebec and Halifax. Carried.

### REPORTING THE DEBATES

Mr. Mackenzie moved to refer the subject of reporting the debates of Parliament to the Joint Committee of both Houses on Printing. Carried.

### PUBLIC PROPERTY OF THE DOMINION

Hon. Mr. Smith moved an address for a statement showing the value of the public works and property, etc. of the Dominion of Canada. Carried.

Sir John A. Macdonald, seconded by Hon. Mr. Cartier, moved the second reading of the Act of Incorporation of the Commercial Bank of Canada, etc.

Mr. Casault objected that the Bill was not printed in French.

The Bill was read a second time and referred to the Committee on Banking and Commerce.

The House then went into committee on the Bill of Supply.

The Bill passed a second reading.

Mr. Blanchet moved an address for correspondence between the Government of Canada and Her Majesty's Principal Secretary of State for the Colonies, relating to the terminus of the railway intended to connect Quebec and Halifax. Carried.

### APPOINTING MAGISTRATES

Mr. Masson moved an address for correspondence, Orders in Council, etc. in relation to the power of appointing Justices of the Peace.

Sir John said there was no correspondence or Orders in Council between the Federal and the Local Governments respecting the appointing of Justices of the Peace. He was satisfied that the intention of Her Majesty's Government was that such appointments belonged to the Local Governments. If there were any doubts on the subject, they could be at once removed by an Act of the Local Parliaments authorizing the Government to issue commissions appointing magistrates.

Mr. Gray said there was more involved in this question than appeared at first sight, particularly in the Maritime Provinces. According to the laws of New Brunswick, magistrates have power to take acknowledgement of deeds. If it was hereafter determined that magistrates appointed by the Local Government since the 1st of July were not legally appointed, it might cause a great deal of litigation. Therefore it was very important that they should come to some decision upon the subject.

Hon. Mr. Cartier read several clauses in the Union Act to provide that the power to appoint magistrates existed in the Local Governments. The General Government might make a law in regard to appointing Justices of the Peace, but there was no such law now.

Mr. Anglin said no magistrate should be appointed until all doubt had been removed.

Hon. Mr. Dunkin said if there was any doubt concerning these appointments, the Local Legislatures should legislate upon the subject.

Mr. Smith believed the Government of New Brunswick had appointed from 40 to 50 magistrates since the 1st July. He thought some steps should be taken to stop the exercise of that power until all doubts were removed, as the consequences would be serious to many persons if it should hereafter be decided that they were illegally appointed.

Dr. Tupper also expressed doubts regarding the legality of these appointments, and said the only wise course to pursue was that an Act should be passed by the Local Legisla-



tures, giving the General Government power to make these appointments, and providing for any defects in the commissions already issued.

The motion was then withdrawn.

**Mr. Mackenzie** said, a great number of the members of this House and of the Senate desired official reports. He moved to refer the subject of reporting debates of Parliament to

the joint committee of both Houses on printing. Carried.

**Hon. Mr. Smith** moved an address for a statement showing in detail the Public Works and property of the Dominion of Canada, derived by virtue of the Act of Union. Carried.

On motion the House then adjourned to Monday next at three o'clock.

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## HOUSE OF COMMONS

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**Monday, November 25, 1867**

The Speaker took the Chair at three o'clock.

**Hon. Mr. Cartier** moved that leave of absence for fifteen days be granted to the Hon. A. T. Galt. Carried.

### RAILWAYS AND CANALS

**Mr. Macfarlane** introduced a Bill for the better regulation of traffic on railways and canals.

### MINISTERS AND THEIR SEATS

**Mr. Blake** stated that on account of the absence of the Minister of Justice, he would postpone till to-morrow, raising the question of which he had given notice, as to the right of Ministers of the Dominion to occupy seats in this House.

### GRAND TRUNK BILL

**Mr. Shanly** moved the second reading of the Bill to Amend the Grand Trunk Arrangements Act of 1862, and for other purposes. He explained its provisions, but was very imperfectly heard in the gallery. He was understood to say that the principal object of the Bill was to enable the Company to raise 500,000 pounds sterling in mortgage bonds, having preference over all other bonds except the equipment and postal bonds. The 4th clause provided that, when the time for which such bonds were issued expired, the amount might be re-borrowed under similar bonds. The 5th clause provided for the convertibility of these bonds into stock. The 6th clause referred to the agreement between the Grand Trunk and Buffalo and Lake Huron, and allowed a modification of that agreement by the consent of the two companies. The 7th clause extended for five years the time within which the Grand Trunk might purchase the Montreal and Champlain railroads.

**Hon. Mr. Howe** said he had glanced over this Bill, and it appeared to him that it did away with the value of all the other securities heretofore issued by the Company. He

thought it was about time this House ceased legislating to enable this Company to put on the markets of the world any other description of securities. He had examined a list of the various stocks and securities this Company had issued and he found some of them very utterly valueless, others worth not more than half, and others worth less than one-third their original value; and he considered the House would be incurring a very great responsibility if it enabled the Company to issue any other securities which would be as valueless in a year or two as any others of its securities now in circulation, and which were a loss and damage, and, in some instances, absolute ruin to those who held them. This railroad, which ran through the heart of Canada, connecting all large cities and traversing the finest agricultural and populous districts, was in a condition which led almost inevitably to the conclusion that the road was not managed as it ought to be managed. By the last official report he found that during the last half-year the working and other necessary expenses of the road exceeded the receipts by 18,000 pounds. Now, in Nova Scotia, the railroad there was as substantially built as any portion of the Grand Trunk; the iron was as heavy, the bridges were of stone and iron, and, with the exception of station-houses, the Nova Scotia road was as good as the Grand Trunk, and a great deal better than some parts of it which he came over the other day. From the time the first five miles of the Nova Scotia road were opened it paid working expenses; and yet this Grand Trunk, after having been completed seven or eight years, did not last year half pay its working expenses. Before this House agreed to enable the Company to issue further securities, which were to go in the way of all previous securities, it did appear to him what the House ought to do; and if no one else moved in the matter before the session closed he would—was to institute a thorough and sifting investigation into the management of this road. He would endeavour to ascertain if there was a majority in the House that would sustain a motion of that kind. He held in his hand a paper filled with a record of past transactions connected with this railroad institution. The charges it contained were either true or untrue. If untrue, the man who

published them should be prosecuted; if true, they were disgraceful—there ought to be a sifting investigation for the honour and credit of this Dominion. A few years ago he attended a meeting, in London, of shareholders of the Grand Trunk—men who had invested ten or fifteen millions in this railroad. They were there utterly powerless to know how they had lost their money or how they were to get it back, except from what the officers of the company might condescend to tell them. The credit of Canada itself suffered from these transactions, and unless the matter was put right, the whole Dominion would not have that credit and position in the mother country which it ought to have; he thought an invaluable service would be done to the credit of the Dominion if a thorough investigation of the whole subject was had. And there was another reason which should cause such an investigation; we were now about to expend on the Intercolonial three millions sterling certain, which would probably reach five millions if the Intercolonial was to be managed after the fashion of the Grand Trunk, and we were to expend it in a line of country which, compared with that traversed by the Grand Trunk, was a wilderness. He was not opposed to the construction of the Intercolonial; he had always been in favour of it, but before the House sanctioned the expenditure of that money they ought to be certain the road would not be managed in the same way as the Grand Trunk had been, and that these three, four, or five millions would not be jobbed away as the money of the poor unfortunate Grand Trunk shareholders had been lost.

**Mr. Mackenzie** asked if the consent of the preference shareholders, whose interests were affected by this Bill, had been obtained. So far as he was aware, there was no petition before the House from those parties asking for this Bill.

**Mr. Shanly** thought the proper place to discuss that point was in the committee.

**Mr. Mackenzie** thought not. It was for the Committee to discuss the details of the Bill. But it lay at the very foundation of all right legislation that no Bill should advance a step without the consent of parties whom it affected in their personal interests.

**Mr. Shanly** said the consent of the preference bondholders had been obtained, and would be produced to the Committee. He did not think the position taken by the member for Hants should interfere with the second

[Mr. Howe (Hants)]

reading of this Bill. The House, if it chose, might order an investigation into the whole affairs of the company; but this Bill simply asked permission for the company to raise a certain sum of money, and to arrange its private transactions with other companies.

**Dr. Parker** thought it would be very objectionable to give the Grand Trunk power to alter the arrangement with the Buffalo and Lake Huron. He would be glad to see such an investigation as that suggested by the member for Hants. He considered that the people of this country had not got the advantages from the construction of the Grand Trunk to which they were entitled. The Company had allowed American producers and forwarders to forward their produce over the road at a much cheaper rate than the people of Canada could get; he believed that in this attempt to compete for Western trade was to be found one principal reason why the road had not proved more remunerative to the shareholders.

**Mr. Mackenzie** called the attention of the House to the extraordinary provision of the 6th clause of the Bill. When the Act of last session was before the House, the private agreement between the two companies which it sanctioned, was appended to the Act as a schedule. Now the 6th clause of this Bill gave permission to the companies to change the 1st, 2nd, 4th, 5th, 6th and 7th clauses of that agreement, without any further reference to the House. The least that could have been done was to have embodied in the Bill the clauses which it was proposed to alter. The first clause of agreement was that which provided for the division of profits between the two companies; the 4th clause provided for raising money; the 5th authorized the Grand Trunk to purchase the Buffalo & Lake Huron Railroad for a special price. The provisions of those clauses were very important.

**Mr. Shanly**—Important only to the Companies themselves.

**Mr. Mackenzie**—Yes, and to a certain number of shareholders also, whose interests might not be consulted by the majority.

**Mr. Shanly**—Are you not in favour of governing by a majority?

**Mr. Mackenzie**—Yes; but he was in favour also of protecting the rights of minorities; he thought this House could not be too careful in passing Bills of this kind, which affected the

rights of individuals. He thought the Bill should be drawn in such a way as to show clearly the whole effect it would have.

**Mr. Macfarlane** said the principle of the Bill was totally at variance with the principle of the Act of last session. In order to meet the objections to the amalgamation, a clause was inserted which specially provided for the priority of the securities which had been issued by the two roads. But the third clause of the present Bill swept that away. Unless the honourable member would consent to let his Bill stand over, in order to allow members who were not acquainted with the discussion of last session an opportunity of understanding the grounds of objection then taken, he should feel bound to move that the second reading be postponed for one month.

**Mr. Shanly** said if it was important to the Company that the Bill should pass it would not be right to throw it back so late in the session as was proposed. As for the objection that the proposed changes in the agreement were not set forth in the Bill, what was asked was not the making of any changes, but simply the power to make changes in certain clauses as circumstances might show them to be expedient.

**Hon. Mr. Cartier** said the Bill should be allowed to go before the Railroad Committee, the members of which represented various railway interests, as well as different political parties in the country. The House would not be committed to the principle of the Bill by such course, for the whole of the details as well as the principle of the Bill could be afterwards changed by the House or rejected altogether if thought desirable. With regard to what had fallen from the member for Hants, it was perhaps a little ungrateful to withhold sympathy from those who as shareholders or bondholders had invested their money in the Grand Trunk. They had by their investments done an incalculable amount of good to the late Province of Canada, although the result had turned out unfavourable for themselves. He knew the member for Hants did not desire to speak harshly of these share and bondholders, and believed he would extend to them the utmost sympathy if he examined the immense benefit the railway had done to the country. They had spent 16,000,000 pounds sterling on the road, which besides affording cheap and easy means of transportation from one end of the Province to the other, had increased the value of real estate all over the country. If

we looked at railways in the United States, we found that nearly every case the investments of original shareholders and 1st bondholders had been entirely wiped off, although nobody would be found to deny that these roads had conferred immense advantages upon the country. The interest of those parties had been sacrificed because the roads could not otherwise have been carried on, but the whole community reaped the benefit. The Grand Trunk was in a better position than those railroads; but to enable it to pay interest on its bonds, it is necessary to have an increased amount of rolling stock, and to put the road in a proper state of repair. To do this, an issue of new bonds was indispensable, and this was what we proposed to authorize in the Bill, which had received the consent of the preference bondholders who were the parties mainly interested. He did not see what valid objection could be raised to the measure if those parties were favourable to its passage. It was not his purpose to defend those who had originally promoted this great work, but glancing at returns, its traffic showed that the estimates of those parties as to its amount were more than realized, and if the same rates for freight could be obtained now as were paid in 1854, enough business was done by the Grand Trunk to pay a dividend even on its original stock. He trusted the Bill would be allowed to go before the committee, where if it contained any objectionable provisions they might be amended.

**Hon. Mr. Dorion** thought there were several instances in this House, where such Bills had been resisted on the second reading. He was very sure the Bill in 1856, to grant new aid to the Grand Trunk, was so resisted.

**Hon. Mr. Cartier**—It was an appropriation of Government to come to the rescue of the road.

**Hon. Mr. Dorion**—The Bill of 1856 was to come to the aid of The Grand Trunk and so was this. By the Bill of 1862, it was proposed to allow the Grand Trunk to borrow 500,000 pounds sterling to put it on its legs, and so we were assured the company would never come to this House again for further aid, if by that Bill certain bonds were authorized to be created, called postal bonds, which were to be first charged on the road after working expenses, and 500,000 pounds were authorized to be raised to be a first charge after postal bonds, to take preference over first, second, third and fourth preference stock, and over ordinary stock of the company. Now, by this

Bill they were going to authorize another class to be called second equipment bonds, having preference over other preference shares and ordinary stock. His honourable friend (Mr. Cartier) said the company was not in such a bad state as most of the companies of the States, where most of the original stockholders had disappeared. What was the present value of the stock of the Grand Trunk? Surely worth nothing at all, and yet they were going to increase it by putting in preference bonds over all other stock. He was not going to oppose the Bill on its second reading; but the House had got into the habit of dealing very lightly with the interests of third parties. He thought they should enquire very closely whether those persons to be affected by this Bill would consent to this change or not. There was another point which he wished to notice. They knew the objections made last year to the amalgamation between the Buffalo and Huron and the Grand Trunk. It was now proposed by the ninth clause, to tell the two companies that they may make any arrangement they please, without regard to the interests of the stockholders or the public. This would be a most dangerous power to give to the Company. He hoped the clause would be closely looked into.

**Mr. Francis Jones** referred to the recent meeting of the Company in London, where the bondholders raised the strong objection to the passage of this Bill. He contrasted the difference between the cost of working the Grand Trunk and the Great Western Railway respectively. In one case, the working expenses amounted to 70 per cent of the gross earnings; while, in the other case, it was only 44 per cent. What caused this great difference in the cost of running the two roads? What an honourable member had said about the dissatisfaction with the management of the Grand Trunk, expressed the sentiments of nine-tenths of the people of the Province of Ontario. There was great dissatisfaction with the management of the road, and he (Mr. Jones) would not allow the Bill to pass without expressing his belief that the Grand Trunk required strict watching, and its management the closest investigation. (Hear, hear.)

**Mr. Mackenzie** said that if the proposer of the Bill would undertake to produce before the Railway Committee an agreement of the bondholders to accept the Bill, and also show that the sixth clause would not authorize changes contrary to the sense of the Act of

[Mr. Dorion (Hochelaga)]

last session, he (Mr. Mackenzie) would advise his honourable friend from South Perth not to press his motion for postponement.

**Mr. Shanly** was informed that all the necessary documents would be produced before the Railway Committee when the Bill came before it. With regard to the sixth clause, its object was simply to give power to the Grand Trunk and Buffalo and Lake Huron Companies to arrange between themselves, from time-to-time, certain details of the agreement authorized by the Act of last session. It was found that the agreement hampered the Companies in a manner injurious to their interests and those of the public, and this Bill merely gave the Companies power to arrange their own business in their own way.

**Mr. Mackenzie** said, unless the House knew precisely the way in which the agreement authorized by the Act of last session would be varied by this Bill, it would be necessary to insert in it a special clause, preventing its change in certain directions.

**Hon. Mr. Cartier** said the changes which would be operated by the Bill would be fully explained to the Committee when the matter came before it.

**Hon. Mr. Howe** said a comparison might be made between the Grand Trunk and the London, Chatham and Dover road. The same men that wronged the people of England on this side of the water, wronged them on that. This Company should be watched narrowly. They should produce evidence before the Bill is passed that peoples' rights will not be affected against their consent. Some railroads have been made to cost enormous sums of money, and thousands of human beings have suffered and been ruined by them, while others have been constructed at a cheaper rate, and yielded a profit to stockholders. There are two roads running between Portland and Boston. These roads running parallel and in competition to each other, through a rugged country, are not only paying running expenses, but have a considerable surplus besides. He could imagine a road like the Vermont Central, constructed with insufficient capital, making ruinous discounts, and running through such a country, not paying at all; but the Grand Trunk, running through such a level, fertile country as it does, ought to pay running expenses, and something more. It has been said that the Grand Trunk would have paid last year, if they had not expended so much upon rolling stock. He

found it stated in last year's report that they had bought twenty-five engines, but had not paid for them. He felt it his duty as a public man, representing one of the British Provinces, to urge upon the Parliament of the new Dominion to resent such a Bill as this, where the bondholders have not given their consent to its being passed.

**Mr. Grant** thought the Grand Trunk system would require many such Bills as this to rectify it. In past sessions of the Canadian Legislature they had had many such Bills before their asking for assistance. He referred to the eloquence and ability of the gentlemen from the Maritime Provinces, and said though they had not built many railroads there he was happy to say they owned them. He hoped these gentlemen would infuse a spirit of economy into their legislation so that they would be able to build a great canal in the Valley of Ontario, and give assistance to the Government.

**Mr. Macfarlane**, at the suggestion of the honourable member for Lambton, was not disposed to press his motion for the postponement of the Bill, but would oppose it in Committee.

The second reading was carried on a division.

**Mr. Jones (Halifax)** enquired whether the Government have taken means to ascertain the view of the American Government on the subject of a Reciprocity Treaty, and if not, whether it is their intention to secure its renewal—also in the event of failing to secure its renewal, what course they intend adopting with reference to the granting of Licenses to American Fishermen?

**Hon. Mr. Cartier** said the Government was alive to the importance of the renewal of the Reciprocity Treaty, and would give the subject every attention. With respect to granting licenses to American Fishermen the subject was under consideration.

**Hon. Mr. Anglin** enquired whether it is the intention of the Government to do anything for the improvement of the Ports of the Province of New Brunswick, on the Gulf of St. Lawrence and Bay Chaleur, by dredging or otherwise; and if so, when such improvements will probably be commenced?

**Hon. Mr. McDougall** said it was the intention of the Government generally to consider the means for the improvements of navigation, but as such improvements involved the

expenditure of large sums of money, he was not prepared to say when they would be undertaken.

**Hon. Mr. Smith** enquired whether it is the intention of the Government generally that the salaries of the Judges of the County Courts, recently established in New Brunswick, shall be paid by the Government of the Dominion of Canada?

**Hon. Mr. Cartier** said the Government not only had the intention to pay, but were bound to pay, all salaries to Judges which by law they must pay (laughter).

**Mr. McConkey** enquired whether the Government contemplate the use of any extraordinary means during the incoming season to encourage immigration from Great Britain and elsewhere, to this Dominion?

**Hon. Mr. Cartier** said the Government was disposed to favor immigration, but would look to the Local Governments of the several Provinces for cooperation.

**Mr. Bolton** enquired whether it is the intention of the Government to subsidize a line of steamers to ply between Montreal and Pictou or Halifax, Nova Scotia, touching at intermediate ports, and if so, will such subsidy be granted under public tender, and whether a like subsidy is to be extended to a line of steamers between Halifax, Nova Scotia, and the West Indies?

**Hon. Mr. Cartier** said the important points involved in this question were under the consideration of the Government.

**Mr. Bodwell** enquired whether it is the intention of the Government, in the Bill respecting Patents of Invention and Discovery, to extend to citizens of the United States the same facilities for obtaining Patents of Invention and Discovery in Canada that are afforded to citizens of this Dominion; and whether privileges under Patents now enjoyed by citizens of the United States in the Province of New Brunswick are to be extended to other parts of the Dominion?

**Hon. Mr. Cartier** said a Bill to be introduced would show to what extent the Government would be prepared to extend the privileges in question.

**Mr. Workman** enquired whether the Harbour Commissioners of Montreal have completed the deepening of the Ship Channel between Montreal and Quebec, so that it shall be 20 feet deep, when there are 11 feet of water on the flats of Lake St. Peter, and

whether Mr. Page, Chief Engineer of Public Works, has yet reported on the channel between Quebec and Montreal, and on the management of the same by the Harbour Commissioners, as well upon harbour affairs generally?

**Hon. Mr. McDougall** was understood to say that he was not aware whether the Commissioners had completed the deepening of the channel, and that Mr. Page had reported on the matters referred to.

**Mr. Workman** enquired whether it is the intention of the Government to provide a Custom House and an Examining Warehouse at the Port of Montreal, adequate to the wants of the trade of that port, in lieu of the insufficient and unsuitable accommodation now existing there, and if so, when?

**Hon. Mr. Cartier** said the subject was under consideration.

**Mr. Stephenson** enquired whether the Governments have had under consideration the question as to the right of the Government of the Dominion of Canada to appoint issuers of Marriage Licenses, and if so, whether any definite decision has yet been arrived at, and what the decision is?

**Hon. Mr. Langevin** stated that His Excellency the Governor-General had commissioned the Lieutenant-Governors of Nova Scotia and New Brunswick to appoint issuers of Marriage Licenses, and that for the other Provinces His Excellency would make these appointments through the Department of State.

**Mr. O'Connor** enquired whether it was the intention of the Government to introduce a Bill during this session to establish a general system of Banking for the Dominion, or whether it is the intention of the Government to introduce a Bill to change the present Act respecting Banks and freedom of Banking, so that the Government shall issue to the Banks, established or to be established under that Act, legal tender notes to the amount of the value of the securities deposited with the Receiver-General in lieu of the notes authorized by the said Act?

**Hon. Mr. Cartier** said the question of currency was under consideration, and it was one of the subjects which the Government proposed to submit during the next part of the session.

**Mr. Stephenson** moved, seconded by Mr. Dobbie, an address to His Excellency the  
[Mr. Workman (Montreal Centre)]

Governor-General, for copies of all Official Reports in possession of the Government, having special reference to the survey and construction of a Harbour of Refuge at some point on the North Shore of Lake Erie, between Port Colbourn and Point Pelee, together with a return of all appropriations made by the Canadian Government towards the construction of harbours and lighthouses, and the improvement of the navigation of rivers in the new Province of Ontario, West of Port Colbourn; naming the respective localities where such money was expended, as well as the amount of such expenditure, upon each locality; and the year or years in which they were made, such reports not to go back to an earlier date than 1845. Carried.

#### DISTILLERY AND BREWERY RETURNS

**Mr. Oliver** moved for returns of proof spirits, beer, ale, and porter manufactured, and the quantity of grain used in such manufacture in each and every distillery and brewery in the late Province of Upper Canada since the year 1859 to the present date, and the amount of excise duty paid by each distillery and brewery during the above period.

**Mr. Oliver** said he would briefly state his reason for urging this motion. First, it was very generally believed throughout the western section of the Dominion that great frauds were being committed on the excise revenue. It was asserted that not more than one-fourth of the malt liquors manufactured had been returned for duty. Even if such frauds did not exist, it was desirable to have the returns, in order to allay those suspicions. In a circular which had been addressed to members of the House by Messrs. Grant & Co., a respectable firm in Hamilton, it was asserted that in the county of Waterloo, where large quantities of lager beer were made, that not more than one-eighth of the production pays duty. These gentlemen said that if this House granted a committee they were prepared to prove that statement. In 1861 the returns of beer manufactured were 5,920,000 gallons; in 1865 they were only 532,000 gallons, although every individual in the country knew that the quantity manufactured, instead of falling off, had greatly increased since 1861. These gentlemen also affirmed that Mr. Brunel, Chief Officer of Excise, had stated to them that, in his opinion, under the present system the Government did not collect more than one-third the actual duty on all, and this was the statement of Mr. Brunel, not only to these



gentlemen, but to members of this House. Mr. Oliver proceeded to give the results of an analysis of the returns for 1866, which showed that in Waterloo, thirteen breweries returned an average of 188 barrels each for the year. Bruce, three breweries, with an average of 103 barrels; and in Prince Edward, one brewery returned a manufacture of 135 barrels. It was evident that if this was all that was manufactured by these breweries, they could not begin to pay working expenses. In Stormont, Dundas and Glengarry, there was one brewery returning 56 gallons. The revenue in that district was \$53, and the cost of collecting it \$153. He thought that the House should be put in possession of full information on the subject, and that if there should then appear to be ground for it, a committee should be appointed to investigate the whole matter.

**Hon. Mr. Howland** asked the honourable gentleman what he had been reading from.

**Mr. Oliver**—From the Public Accounts of 1866.

**Hon. Mr. Howland** said there was no objection to giving the information asked for; but he thought it unfair for the honourable gentleman to get up and make charges based on the circular he had referred to. As regarded the parties who made those statements, and especially one of them, when the Government adopted measures to put a stop to the frauds committed in breweries, and put them in operation in the brewery owned by those parties, one of them came down with other brewers to induce the head of the Department at that time (Mr. Galt) to withdraw those measures. He believed the object of this gentleman was to write himself up and get himself a situation under the Government for the discharge of these duties. He had it from Chief Inspector Brunel that the statements with regard to himself were altogether false. The Government were quite willing to grant the information, and he might mention that an investigation was now going on in one of the districts he referred to, and he would only add that one of the gentlemen whose names are appended to the circular had on several occasions made similar representations to the department; and on such occasions an investigation was made, and the charge proved to be groundless.

The motion was agreed to.

**Mr. Mackenzie** moved an address for correspondence relative to the forcible abducting of a British subject from the township of Moore. He said he referred to a person

named McDonald, a Canadian. He had been arrested on the American side, on suspicion of smuggling, and confined in gaol. Being allowed to wander about the village of St. Clair, during a portion of the day, he took advantage of that liberty and moved to the Canadian side. The Sheriff, with a party of assistants, followed him, and took him away by force, using firearms to accomplish their object, and wounding the man before they succeeded in catching him. He considered this one of the worst acts of abducting he had ever heard of—worse than that of Mason and Slidell—and he desired to know what the Government had done in the matter.

**Hon. Mr. Cartier** said correspondence on the subject was going on, and was not yet in that state in which it could be brought before this House.

**Hon. J. Sandfield Macdonald** said application had first been made in this matter to the Ontario Government. He wrote back, requesting that evidence should be supplied which would justify the Washington authorities in granting the application for the man's surrender. This had been sent to him while he had been absent, and it was only within the last few days that he had handed it over to the Government of the Dominion.

**Mr. McDougall** did not think the case warranted the strong language made use of by the member for Lambton. Only a few weeks ago there was a case of forcible abduction on the other side, in which some escaped criminals were brought back to Kingston by our officers, assisted by American officers.

**Mr. Mackenzie** said that two months having elapsed since the affair took place, and having learned a few days ago that McDonald was still a prisoner in a United States gaol, he had taken it for granted that some difficulty had occurred about the surrender, and had therefore moved for the papers; but after the explanation given by the Minister of Militia, he would not press his motion for the present.

The motion was accordingly withdrawn.

#### BAY OF QUINTE CANAL

**Mr. Keeler** moved for a return of surveys and reports relating to the proposed canal to connect the waters of Lake Ontario with those of the Bay of Quinte. Carried.

#### LACHINE CANAL LEASES

**Mr. McDonald (Glengarry)** moved an address for a statement showing the quantity of water leased on the Lachine Canal, and to

whom leased, and at what rate leased, and the amount in arrears, if any, and the names of the party or parties so in arrears. Carried.

#### RAFTING OF TIMBER

**Mr. Bellerose** moved the second reading of the Bill respecting the rafting of timber on the inland waters of Canada. Mr. Bellerose said he was himself opposed to some of its provisions. He proposed referring it to a large committee for a report.

**Hon. Sandfield Macdonald** thought there was no hurry in pressing it now; the Bill might stand till February.

**Mr. Smith** believed such a law would be objectionable to New Brunswick.

**Mr. Morris** thought the Bill should go before the country in the shape in which it was intended to ask the House to pass it; therefore, he suggested that the mover should re-draft the Bill and submit it to the House again.

**Mr. Mackenzie** suggested that if the mover read the navigation law, he would find a great deal referred to in the Bill already provided for.

**Mr. Bellerose** was willing enough that the Bill as reported by the committee should stand till February. Last summer, the steamer QUEEN VICTORIA could not get to her wharf because it was occupied by rafts. Ferries had also been obstructed on the Gatineau by rafts.

**Mr. McDougall** thought matters affecting the trade and navigation of the country should not be legislated upon in this way. As to the case of the Gatineau bridge, it had been built over that river, and enabled rafts to pass underneath.

**Mr. Dufresne** could not see why the Bill should not be sent to committee, where it might be arranged so as to meet the views of different interests.

**Mr. Dunkin** thought it better the Bill should go before the committee, in order that it might assume the shape in which it could be passed or rejected in February, according to action or non-action in the meantime of the Local Legislatures.

**Mr. Bowell** believed from the letters which he had received from various correspondents that the best way of disposing of the Bill was

to give it the six months' hoist. If passed it would prove injurious to the lumber interests of the country. He moved that the Bill be read this day six months.

**Hon. Mr. Cartier** was in favour of allowing the Bill to go before the Committee, where it might be amended if found objectionable in details.

**Mr. Ault** thought it detrimental to the lumber interests to allow the Bill to pass, and therefore hoped it would be rejected.

**Mr. Ferguson** thought if the Bill was not required, the Committee were the best judges.

**Mr. Bellerose** offered to withdraw the motion if the amendment was withdrawn.

**Mr. Bowell** refused, unless the Bill was withdrawn.

It being six o'clock, on motion of the **Hon. Mr. Cartier**, the House adjourned till to-morrow.

#### NOTICES OF MOTION

**Mr. McConkey**—Enquiry whether, with the view of liquidating its indebtedness to the Bank of Montreal, and other floating obligations, it is the intention of the Government this session to issue and throw upon the country such an amount of debentures, on the credit of the Dominion, as will enable it to realize funds to that end.

**Mr. Bolton**—Whether any fishery bounties have been paid, or are intended to be paid, from the general revenues of the Dominion, since 1st July last, and if so, are such bounties confined to vessels or claimants of any particular portion of the Dominion.

**Mr. Smith**—Addresses for copies of all correspondence between the Government of the Dominion and the Government of New Brunswick, relating to the salaries of the Judges of the County Court of New Brunswick, and a statement of the amounts, if any, paid to said Judges by the Government of Canada.

**Mr. Street**—Suspension of the 62nd rule with respect to the Bill to settle the affairs of the Bank of Upper Canada.

**Mr. Fortin**—Returns giving a variety of particulars concerning the vessels owned in the Dominion of Canada on the 1st of July, 1867.

## HOUSE OF COMMONS

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**Tuesday, November 26, 1867**

The Speaker took the Chair at 3 o'clock.

### **BEAUHARNOIS ELECTION PETITION**

On the question of receiving the petition against the return of Mr. Cayley for Beauharnois, objection was taken that the petition was presented on the 15th day of the session, instead of the 14th, as required by law. The question in doubt was whether the day of meeting, or the day on which his Excellency's speech was delivered, was the first day of the session.

Mr. Speaker **Cockburn** said this petition was presented on the 20th of November. The law requires election petitions to be presented on or before the 14th day of the session. The question here was whether the first day of session was the 6th November, the day of meeting, when His Excellency instructed the House to choose a Speaker, or the 7th November, when, in the Speech from the Throne, he told them for what purpose they had been called together. He considered that this was a point to be argued before the election committee, and therefore ruled that the petition be received.

**Hon. Mr. Holton** said that he had understood the Speaker to say that this was a question to be argued before the Select Committee appointed to try it. Might it rather not come up on the question of referring the petition to the General Election Committee. If this was not an election petition, why appoint a committee to try it?

**Sir John A. Macdonald** referred to the practice in England, that whenever there was a doubt as to the validity, or otherwise, of an election petition, it should go to an Election Committee.

**Hon. Mr. Dorion** thought the point should be decided by the House rather than a committee, in order that a precedent might be established to bind the House.

**Hon. J. S. Macdonald** and **Hon. Mr. Cartier** stated their impression that there was already extant a decision of the House on the question.

**Hon. Mr. Howe** suggested that as this was to be an economical Parliament, the second day of meeting should be counted the first day of the session, that the country might save one day's pay to members. (Laughter).

The petition was then received.

### **KENT (N.B.) ELECTION**

On the question of receiving a petition against the return of Mr. Renaud, member for Kent (N.B.), which was presented on the 22nd November,

**Mr. Smith** read a clause from the Union Act, declaring that until otherwise provided, the laws in force in each Province previous to the Union relating to elections should be binding with reference to that Province. He stated there was no statute law in New Brunswick on this point; but there was a standing rule of the House requiring election petitions to be presented within the first fourteen days of the session, counting from the day of meeting. This petition was presented on the seventeenth day of the session, and therefore, he contended, could not be received.

**Mr. Fisher** argued that the rules of the New Brunswick House were not law, and therefore could not prevent the reception of this petition.

**Mr. Johnson** agreed that the rule of the New Brunswick House was not law, and contended that the House must fall back on the procedure of Canada and England, which would not allow the reception of the petition.

**Hon. Mr. Cartier** said, it was the duty of the House with respect to controverted elections, both with regard to receiving petitions and other proceedings, according to the rules of the several Provinces. According to the rules of the New Brunswick Legislature this petition to have been received should have been presented within fourteen days, therefore, the doubt raised regarding the other petition just discussed could not apply in this case. The question was, would this petition be received in the Legislative Assembly having been presented on the 17th day of the Session? Clearly not. Therefore it was the duty

of this House to refuse the petition by the same rule. (Hear, hear.) So long as these rules of the Legislatures remained in force they were part of the law; they formed the Parliamentary law, and in the present case the laws or rules of the Legislature of each Province relating to contested elections should apply to the members of this House.

**Hon. Col. Gray** said according to the Legislature of New Brunswick, the petition should have been presented within the first fourteen days, otherwise it could not be received. This was so plain that there need be no controversy about it. (Hear, hear.) Then the Imperial Act provided that the existing laws relating to elections in each Province should apply to members of this House, until otherwise provided, so that upon this point too there was no room for doubt—clearly the Rules obtaining in the New Brunswick Legislature applied to this case.

Speaker **Cockburn** said he would reserve his opinion till to-morrow, and meanwhile the motion for the reception of the petition might stand.

#### PARLIAMENTARY PRINTERS

**Mr. Mackenzie** presented the second report of the Printing Committee which recommended that Messrs. Hunter and Rose be considered the Parliamentary Printers until the termination of their present contract, which would be on the 1st January, 1870. He intimated that he would move the adoption of the report tomorrow.

#### CANADIAN INLAND NAVIGATION COMPANY

**Mr. Morris** introduced a Bill to amend and consolidate the several Acts incorporating the Canadian Inland Steam Navigation Company.

#### ST. LAWRENCE AND OTTAWA R.R.

**Mr. Crawford (South Leeds)**, moved for leave to introduce a Bill to incorporate the St. Lawrence and Ottawa Railway Company.

**Hon. Mr. Holton** said the Union Act provided that all public works within the territorial limits of the several Provinces should come under the jurisdiction of the Local Legislatures. To bring such a Bill as this within the province of this Parliament, it would be necessary to have it declared in a positive enactment that the railroad in question was a public work of general character.

[Mr. Cartier (Montreal East)]

**Mr. Crawford** said the Bill contemplated the extension of the Prescott and Ottawa railroad into the Province of Quebec, namely, to Aylmer, and this, he conceived, removed it from the class of local Bills.

**Mr. Dunkin** thought it was a new evasion to claim that the Bill empowered the Company to extend its works into another Province. They might ask an extension of their charter and insert that clause solely for the purpose of bringing it within the jurisdiction of this Legislature. The Bill should not merely confer the power, but impose the obligation, to extend the line into another Province.

**Hon. Mr. Cartier** explained the general provisions of the law with respect to charters for railways, telegraph lines, or other public works extending to one or more Provinces within the Dominion. Companies confining their operations to one Province exclusively should apply to the Legislature of that Province for a charter, and companies extending operations to two or more Provinces should apply to the Parliament of the Dominion.

**Sir John A. Macdonald** said, that petitioners for private Bills proceeded on their own risk, and the point as to whether they had appealed to the proper tribunal for a charter should be left to the decision of the Private Bills Committee. It would be the duty of all committees to which Bills were referred to examine their provisions, and see whether they came within the scope of the legislation confided to this House. The Bill might be allowed to go before the committee and objections could properly be there taken.

**Hon. J. S. Macdonald** referred to the anomaly of questions being legislated upon by the Local and the Dominion Parliaments, and contended that Bills of a local nature ought not to be introduced into the Dominion Parliament at all, otherwise, if suitors for legislation were permitted a choice of Legislation to which to apply that security for legislation, which was so desirable, would be destroyed.

**Hon. Mr. Cartier** contended that there could be no danger of the difficulty arising referred to by the honourable member, as an Act of the Parliament of the Dominion was omnipotent, in so far as concerned the subjects confided to it. The Local Legislatures also, with respect to the subjects expressly confided to them, were just as omnipotent in their Acts. A doubt might arise in either, as

to their powers, and should either the Local Legislatures or the Parliament of the Dominion pass an Act beyond its jurisdiction, it would be competent for the Courts to set that Act aside, according to the Act of Union, as that was the authority by which they had to be guided.

**Hon. Mr. Smith** agreed with the member for Cornwall, that it was in the last degree undesirable that the Dominion Parliament should entertain questions of local legislation.

**Hon. Sir John A. Macdonald** said he had not stated that this House should entertain a Bill, knowing it to be a local one, but only that the petitioner ought to know the nature of his Bill at his own risk, and that objections to it might be decided in committee, where there was any doubt on the mind of the House.

**Hon. Mr. Smith** continued for some time to speak on the desirability of drawing a distinct line between the subjects to be legislated on by the Dominion Parliament, and those by the Local Legislatures, otherwise very serious difficulties would arise.

**Hon. Sir John A. Macdonald** thought that though ingenious minded men might conjure up difficulties, yet with a little liberality of interpretation there could arise no serious difficulty, as the law was pretty clear, and parties seeking legislation would generally try to protect themselves. With respect to objections to this kind of legislation, members knew that they could be urged at almost any stage of its progress.

**Mr. Ferguson (Cardwell)** was understood to urge the desirability of making explicit provision for the introduction of local and private Bills to the proper Legislature, as otherwise parties might be exposed to great loss and inconvenience, if at the last hour they found their Bill thrown out of this House, after they had complied with all the necessary formalities. He argued that the point should be made sufficiently clear so that there could be no doubt upon the question as to which Legislature had a jurisdiction over any given class of measures.

**Hon. Mr. Chauveau** (in French) expressed the opinion that Parliament could insert a provision to make the line a national work, and thereby settle all difficulties.

**Mr. Blake** thought that in view of the practice of allowing Bills to go before the committee, it would be better to continue the discussion; but he thought it would be going

too far to allow a Bill to go to a third reading without enquiring whether it was within the power of the House constitutionally to legislate on the subject. He hoped the House would not fall into the practice of delegating to the Private Bill Committee the decision of constitutional questions. As to the point whether it was necessary to have a separate Act defining the works which were for the general good, there might be a question of doubt, but he hoped there would be no question of doubt whether the policy of this House was to interfere with such works, and that private individuals would not be allowed to propose such Bills, and say they had a right to have them referred to the Private Bill Committee.

**Hon. Mr. Howe** said that in the States they had a common territory, in which to meet, and though this might create no great difficulty here, this matter of jurisdiction of the different Provinces appeared very likely to give some trouble. The States had a tribunal to define the powers of the different Legislatures; but we had nothing of that kind here. With reference to these Acts of Incorporation, he put it to the honourable gentleman whether it would not be better to remit all these Bills to the different Provincial Legislatures under which the work was to be proceeded with. If they were to be anything in this House, they should be something more elevated than a Provincial Parliament. Why should they descend to meddle with such subjects? The work was more likely to be closely watched in the several Provinces.

**Hon. Mr. McDougall** said the Bill under discussion did not justify the line of argument urged by gentlemen opposite. The question involved in the Bill was as plain as possible. It referred to a work already in existence, and wholly within the Province, and so far was purely a Provincial measure. But it had been stated that power was to be asked to extend the road to another Province. Now if this was not a mere pretence, it would be for this House to consider whether it was desirable to give this power. It would be the duty of the Private Bill Committee to examine it, and see that it belonged to the class of subjects within the jurisdiction of the House, or to consider whether this asking for power to extend to another Province was not a mere cover for some ulterior purpose, and introduced under the impression that greater powers might be obtained from this House than from the Legislature of Ontario.

**Hon. Sir John A. Macdonald** said with respect to the constitutional question which

had been raised in this debate, he failed to see any danger of a difficulty arising even without a Court of Appeal. It was true, Parliament had the power to establish a Court of Appeal, but the very constitution of such court implied a previous decision—it was not a court of original jurisdiction, and he held that the Superior Courts of the country were competent to decide upon the law of the land. (Hear, hear.) In case the Provincial Courts should refuse to look beyond the provisions of any Provincial Act, the validity of which might properly be called in question, undoubtedly the Privy Council would set aside the decision.

After some further remarks,

The Bill was read a first time, and ordered to a second reading to-morrow.

**Mr. Blake** said he would defer the discussion of the privilege question until to-morrow, immediately after routine.

On motion of **Sir John A. Macdonald**, the Bill entitled an Act relating to the indemnity of Members and the Salaries of the Speakers of both Houses of Parliament, was read a third time and passed.

On motion of **Sir John A. Macdonald**, the House formally concurred in the report of Committee of the whole on resolution "That a Supply be granted to Her Majesty."

**Sir John A. Macdonald** gave notice that on Friday next he would move the House into Committee of Supply.

**Hon. Mr. Holton** enquired whether the Government would be prepared to go on with the estimates on Friday.

**Sir John A. Macdonald** hoped the Minister of Finance would be in his place in the House on Friday, and would no doubt be prepared to speak for himself.

**Sir John A. Macdonald** moved the second reading of the Bill for the Interpretation and Construction of Statutes. He explained that the Act was mainly a transcript from the previously existing Statute, adapted to the altered circumstances of the country.

The Bill was read a second time.

**Sir John A. Macdonald** moved that the House go into Committee of the whole on the said Bill. Carried.

**House in Committee—Hon. Mr. Chauveau in the Chair.**

Several clauses were passed through Committee without amendment, and

On motion of **Sir John A. Macdonald** the Committee rose, reported progress, and asked leave to sit again on Thursday.

House resumed—Report adopted.

**Sir John A. Macdonald** moved the second reading of the Bill respecting the Office of Speaker of the House of Commons. He explained that it merely empowered Mr. Speaker to appoint a member of the House to take the Chair, in case he should require to absent himself during the proceedings of the House.

The Bill was read a second time and ordered to a third reading to-morrow.

On motion of **Sir John A. Macdonald** the House adjourned at six o'clock.

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[Sir John A. Macdonald (Kingston)]

## HOUSE OF COMMONS

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Wednesday, November 27, 1867

The Speaker took the Chair at 3 o'clock.

### ARGENTEUIL ELECTION

The Speaker declared that the securities attached to the petition against the return of Mr. Abbott for Argenteuil were insufficient.

### COMMITTEE ON ELECTIONS

Hon. Mr. Huntington and Messrs. Walsh, Mackenzie, Blanchet, Dufresne and Morris, members of the General Committee on Elections, were sworn at the table, and their first meeting was appointed to be held tomorrow at noon.

Sir John A. Macdonald moved that the corrected alphabetical lists of members to serve on election committees, be referred to the General Committee on Elections. Carried.

Sir John A. Macdonald moved that all election petitions be referred to the General Committee on Elections.

Hon. Mr. Holton thought there should be a separate motion for the reference of each petition as it was reported by the Speaker; as regarded the Beauharnois petition, which was received by the House yesterday, he should oppose its reference to a committee.

After further debate, the motion was allowed to stand.

### KAMOURASKA

Hon. Mr. Cartier moved that the petition of Mr. Chapais, claiming the seat of Kamouraska, be received.

Hon. Mr. Dorion—This evidently could not be an election petition, because there had been no election; an election committee is appointed to try an election, and to decide between the parties, but here there was nothing to try—no parties and no election. The returning officer reported that on nomination day there was a riot—that the writ of election was taken from him by violence, and that he was thus prevented from holding an election. In support of his view Mr. Dorion referred to some English precedents, and to

the Brodeur case in Canada, in which the returning officer returned himself. In that case, the House under the guidance of the Minister of Justice, who was then one of the leaders of the Opposition, declared there was no election and no necessity for sending the case to an election committee, and that a writ ought to issue immediately. He thought a similar course should be pursued in this case. If there was any doubt as to the facts having been correctly stated by the returning officer, a committee might be appointed to ascertain the facts and report immediately. He believed, however, there could be no doubt on that point, the returning officer being a relative of the Minister of Agriculture, and not likely to have failed in returning him if he could possibly have done so. And if it was admitted that the facts were correctly stated, then clearly the course to be adopted was to issue a writ immediately for a new election that the county might not remain unrepresented.

Hon. Mr. Cartier held that while the statement of the Returning Officer might be held as conclusive, yet Mr. Chapais denied this, and believed that the election should have been held. The honourable petitioner only sought the opportunity of proving the facts alleged in his petition before the Committee; that he was the only candidate present at the nomination, and that he ought to have been duly returned. The honourable member for Hochelaga was wrong when he said that Mr. Chapais was a candidate. It did not require the nomination of this one or that, for any one had a right to place his qualification in the hands of the Returning Officer, and that officer was bound to take cognizance of it. He had no doubt but that the violence had occurred, and the Returning Officer was in some degree justifiable, yet, had he known the facts alleged in this petition, that Mr. Chapais was the only candidate, it would have been his duty to have returned Mr. Chapais, and he now seeks the opportunity of establishing this fact before the Committee. It was an election petition, which, with the return of the Returning Officer, ought to go before the Election Committee for adjudication. The Returning Officer had not reported how far his proceedings had extended,

he merely stated that he had been unable to continue and complete them; he should have stated how far he had gone, when it would have been found that he knew that Mr. Chapais was the only candidate. The only point which this House could decide was whether this was an election petition, and upon this point there ought to be no doubt.

**Hon. Sir John A. Macdonald** cited a case where no return had been made, and on investigation revealed the fact that the writ had not reached its destination, whereupon a new writ was issued and an election held. But in the case before the House the writ had been received and acted upon by the Returning Officer, who was seized of, and executed, up to a certain point, the powers it conferred, and this petition against the return made by the Returning Officer should go before the Committee.

**Hon. Mr. Holton** said it was amusing that a gentleman who had never been nominated, where there was no election, should come here to claim his seat on the allegation that he was the only candidate.

**Hon. Sir John A. Macdonald** said there could be no doubts as to the duty of the House to deal with this petition. The only question under a fair interpretation of the law which could arise, was whether it should go before the election committee, or before the committee on privileges, or whether it should be referred to a special committee. It would be clearly wrong to accept the allegations of the Returning Officer, and to act upon them without investigation.

**Hon. Mr. Holton** repeated that it was palpable to the plainest comprehension that there had been no election in this case, and therefore the principle which had been contended for with regard to controverted elections, did not apply. The Minister of Militia had argued that because Mr. Chapais told somebody he was a candidate, therefore he must be returned. A more monstrous proposition was never uttered.

**Mr. Dunkin** did not think the question properly came up now, whether this was an election petition or not. The only question was whether it was a petition the House ought to receive.

After further debate, Speaker Cockburn said he would give his opinion to-morrow, and the question accordingly stood over.

[Mr. Cartier (Montreal East)]

### KENT (N.B.) ELECTION

**Speaker Cockburn** read his opinion on the objection taken to the reception of the petition against the return of Mr. Renaud for Kent, N.B. He stated that the petition was presented too late according to the rules of the New Brunswick House of Assembly. With reference to a New Brunswick election, this House must be guided by the same rules as if it was sitting at Fredericton, and therefore he ruled that the petition be not received.

### PRIVATE BILLS

**Mr. Macfarlane**, in accordance with the report from the standing orders committee, moved that the time for receiving petitions for private Bills be extended to the 16th December, and private Bills to the 18th December.

### PARLIAMENTARY PRINTERS

**Mr. Mackenzie** moved the adoption of the joint committee on printing, recommending that the present contractors for the printing, binding and printing paper, for the Legislature be considered as contractors until the termination of their present contracts on the 1st January, 1870. Carried.

### HON. MR. HUNTINGTON

**Hon. Mr. Holton** moved that one week's leave of absence be granted to Hon. Mr. Huntington, on account of the sickness of a relative. Carried.

### MINISTERS AND THEIR SEATS

**Mr. Blake** moved the following resolution: Notice having been taken by a member of this House that the Hon. G. E. Cartier, a member of the Queen's Privy Council of Canada, has been sitting and voting in this House while holding an office of emolument under the Crown, to wit, the office of Minister of Militia—Resolved, that a select committee be appointed to enquire whether said G. E. Cartier has legal right to sit and vote in the House, with power to send for persons and papers. He said that a few days ago, when a question somewhat similar was brought forward, the Minister of Militia was opposed to the mode of proceeding on that occasion. He desired that a formal motion should be placed before the House, and as he (Mr. Blake) was anxious as far as he could to conform to the views of gentlemen opposite,



he had put his position in the shape of a motion. He referred to the importance of deciding the point, and pointed out that in the case brought up by the member for Chateauguay, although the Minister of Militia said it was a monstrous motion, that view was not shared in by the House, or by the leader of the Government, who said the member for Chateauguay had done no more than his duty in bringing it before the House, and moved to refer it to a committee. He (Mr. Blake) had hoped that the present point would have been disposed of in the same way; but the Minister of Justice had intimated that this would not be consented to, and that a case must first be made out before they would give up their seats. He apprehended there could be no doubt that the question was not to be looked at in any party spirit, but with a desire to place themselves in conformity with the law. He thought before he sat down he would show that he might have worded his motion in stronger shape—that he might have asked the House to declare that the Minister of Militia had no right to sit here and ask for the issue of a new writ; but he thought it would be less embarrassing to place it in shape for reference to a select committee. The recent case in this House was the strongest precedent that could be desired for the reference. The case might be reduced to three or four propositions. He proposed, first, to establish that the office of Minister of Militia was one of profit under the Crown; secondly, that the disqualifying clause applied to persons holding such offices. If he established these two propositions, it would be obvious that he had no right to sit unless he came within the exemption clause. Thirdly, that the exemption clause could not apply to heads of departments formed before the first session; and if that proposition fails, that at any rate none but officers mentioned in the exemption clause are eligible, and the office of Minister of Militia, not being mentioned, rendered him incompetent to sit. In reference to the first point that this was an office of profit, it could not be a question of doubt. The honourable gentleman opposite had himself admitted that during the recent discussion, stating that he was receiving his salary. The argument that because the Local Legislature had not yet voted salaries to Local Ministers, they were competent to sit in the House, was unworthy of the honourable gentleman opposite. The motion for a writ in the case of Mr. Rose was a sufficient answer to it. If he had not accepted an office of profit his seat would not have

become vacant, and there would have been no propriety in issuing a new writ. He had also found a precedent in the late Province of Canada. For ten years the office of Minister of Agriculture was held by the President of the Council; but when it was found necessary to have a separate Bureau of Agriculture, and Mr. Evanturel was appointed, his seat was declared vacant, and he went back for re-election, notwithstanding that there had been no vote of the House in respect of salary. Any other construction of the Act than that which he indicated would make it competent for Ministers to create any number of offices, appoint members to them, and thus control the House by placemen. The next point was that the disqualifying clause in our Act does apply in this case. The 41st section of the Union Act continues in force; the independence of Parliament providing that no person holding office of emolument under the Crown shall be eligible to sit in this House. It seemed to be clear that the latter section applied to offices of profit held at the nomination of the Crown in this Dominion. If it did not apply, Mr. Rose's seat did not become vacant, on his acceptance of the office of Minister of Finance. He held that the clause did apply. Any other construction would permit Judges, Contractors, Postmasters, and other Crown officers to crowd the House, and the Independence of Parliament be gone.

It was of the utmost consequence that they should come to the conclusion that this disqualifying clause generally applied at the present time to any offices held from the Crown in the Dominion. Otherwise there was no means of preserving the Independence of Parliament. Referring to the third point stated, he said where it was intended the heads of Departments should sit, the Imperial Act expressly said so, and in the absence of such provision, it was fair to assume the power was not given. The constitution gave authority to the Governor-General to nominate a Privy Council; but there was no provision as to heads of departments sitting and voting in this House, and the inference was that these powers are not to be implied as to the Dominion which are expressly given in respect of Quebec and Ontario. Under the Canadian Act there could be no doubt the Minister of Militia was disqualified from sitting here. It only renders eligible certain persons mentioned. Mr. Rose, if elected might sit, but the Minister of Militia could not, as his was not one of the offices provided for. He referred for precedent to the case of the standing counsel of the India Board who under the

reorganization department was declared disqualified. To say that the Minister of Militia could sit would be to make it competent for the Crown to appoint to any number of offices the Government might choose to create. They say themselves the present distribution of offices is only experimental, and proposed to do with one less. They might just as well try to do with twenty more and appoint any member to the new offices to be created; and according to their pretensions they would not have to vacate their seats. That was a monstrous proposition which could not be looked upon without apprehension which would give to the Administration power to control this House and increase their majority to a larger one, or change a minority to a majority.

**Sir John A. Macdonald** said it was perfectly right that this subject should be discussed, but he must object to the spirit of his honourable friend's closing remarks. He might have urged the legal view of the question without referring in an offensive manner to gentlemen opposed to him and impugning their motives in accepting office.

**Mr. Blake** said he had not referred to any one in particular, but if his honourable friend thought it suited any particular member of the Government, he could not object.

**Sir John A. Macdonald**—It was a necessary inference of the gentleman's remarks, especially when it is considered what had been said before in the House, that he desired them to apply to members of the Government. He thought he (Mr. Blake) might as well have confined himself to the legal argument. Leaving that point, he would refer to the legal argument of the mover of the motion. In the first place, it is quite clear from the preamble of the Union Act that it was intended by the Imperial Parliament that we should enjoy a Constitution as analogous as possible to the British Constitution. If there is one thing better established than another by the British Constitution, it is that the representative of the Crown should appoint advisers, and that these advisers of the Crown, or at least a great portion of them, should have seats in the representative ranks of Parliament. Therefore, it was necessary that on the 1st July the Crown by its rep-

[Mr. Blake (Durham West)]

representative should initiate the Constitution of this country on principles similar to the principles of the British Government. The Governor-General could not, in consonance with the British Constitution, for one moment delay the formation of a responsible body of advisers. His authority, the moment the proclamation took effect, was similar to what it is when the resignation of an administration takes place, and therefore it was that His Excellency formed the present Government, and entrusted to them the administration of affairs. There was then, according to the constitutional principle, an appeal to the people, and, with one exception, the people confirmed the choice of the Sovereign. The honourable gentleman, in his argument, stated that the fact of members holding these offices was sufficient evidence that they are disqualified, inasmuch as that fact proves that the offices have salaries attached to them. There were no salaries attached to them by any law that he (Sir John) was aware of, and the argument of the gentlemen opposite, simply means that those gentlemen who had assumed the administration of affairs did not work for nothing, and therefore must get salaries. The argument that mere holding offices to which salaries may be attached disqualified a man from sitting in the Commons, would render our form of government impossible. If ministers of the Crown were not allowed in the House, who was to be responsible for the measures to be introduced—for instance the measure of fixing these same salaries? The present Government was merely provisional—their salaries must at some time be fixed by Parliament. In the meantime no salary was fixed or attached—which meant the same thing—to any office. The argument was a legal one, and the matter must be considered on the broad principle of constitutional law, and the first principle of constitutional law is that there must be constitutional advisers of the Crown in Parliament. While it was true that members of the Administration would claim their salaries, and would be exceedingly disappointed if salaries were not voted, and while it was equally true that necessity might induce Ministers to ask for an advance until Parliament fixed their salaries, yet there were no salaries affixed to their offices. The

Union Act provides that salaries shall be affixed and provided by the Parliament of the Dominion. Till they are fixed, there can be no attachment. The case the honourable gentleman had cited was against him. In that case, the Minister of Agriculture held another office to which a salary was attached, and he drew no salary as Minister of Agriculture. Afterwards it was made a separate department, and Sir N. F. Belleau, on being appointed to it, went to the people to be re-elected, although there was no salary attached to the office, because he knew the Government were going to apply to have a salary attached to it. After his election, he sat in Parliament, and there was no objection to his sitting, because there was going to be a salary attached to his office. According to the strict construction of the constitution he (Sir John) held that Mr. Rose was not obliged to go to the people to be re-elected, but because there would be a salary attached to his office, he sought re-election from his constituents, though not obliged to do so. Another point was, that the law affecting the right of members to sit in Parliament was not the same in all the Provinces. There was one law in New Brunswick, another in Nova Scotia, and a third in Canada. His honourable friend was Minister of Militia for the whole Dominion. The law which might disqualify him in Canada might not have the same effect as regards New Brunswick or Nova Scotia. He might perform duties in other Provinces. (Laughter). The Government would during the present Parliament bring down a carefully prepared Civil List in which the salaries of all the principal officers and heads of departments would be named, and a vote of Parliament would be asked for the purpose of fixing those salaries. With respect to the Minister of Militia, that officer was certainly free from this attack, because that officer never had a salary in Canada. Perhaps, too, the third clause of the Union Act would render that officer eligible to a seat because he might be said to be an officer of Militia. That section says—"Nothing in this section shall render ineligible to sit or vote in either House, any officer in Her Majesty's army or navy, or any officer of Militia." Now, his honourable friend might surely be called an officer of Militia. (Laughter). He was quite

willing the subject should be discussed; but if his honourable friend pressed his motion, he (Sir John) would move that the debate be adjourned three months until Ministers have an opportunity of bringing down a Bill fixing their salaries.

Hon. J. H. Cameron (Peel), after referring to the 32nd, 11th and 12th sections of the Union Act, said there was nothing in the law to prevent the Government calling any gentleman to the Privy Council—a gentleman so called would not be ineligible to a seat in the House. He had been Solicitor General, and was called to the Executive Council in Canada, but did not vacate his seat in consequence. If that was right under the old statutes of Canada, it should be the rule here. It was for the interest not merely of the representatives of the people, but of the people themselves, that those connected with the business of the Crown should be here to conduct it for us. It was clearly the intention of Parliament, when they passed this Union Act, that these responsible advisers of the Crown should have seats either in one branch of the legislature or the other. If there were any doubts regarding the construction of the Act, they should strain a point rather that they should have seats in the House, than that they should not have them. It should be distinctly understood that we do not even by implication assume that the right of these gentlemen to occupy their seats is liable to be questioned. If it was not intended that they should hold them, the Act of Union should have stated it plainly and clearly in unmistakeable terms.

Mr. Harrison said that his hon. friend from Durham (Mr. Blake) had based his argument upon the Canadian Independence of Parliament Act, which he had closely criticized, but had not given the true spirit and intention of the Act. In discussions of this kind they should try to ascertain the spirit of the Act, with its purpose and end. The key to the Act was its preamble. In that preamble it is recorded that our Constitution should be as nearly as possible analogous to the British Constitution. The first principle of that Constitution is that advisers of the Crown should be on the floor of the House to give an account of their conduct to the represen-

tatives of the people. His hon. friend from West Durham argued that the offices which he attacked came under the disqualification law. This disqualification law disqualified a man from holding an office from the Crown to which a salary was attached by authority of law, and there was no new law affixing a salary. But, assuming that it is an office to which a salary is attached, the Canadian exemption law says that an Executive Councillor, being a member of the house or holding any one of those offices mentioned in the Act shall come under its provision. The

argument cannot be sustained, that, because a Minister of Justice is not mentioned in that act, he does not come under its provisions.

**Mr. Johnson** spoke in favour of ministers holding their seats, and trusted the House would not allow the question to go to a committee.

**Mr. Blake** moved that the question be referred to a select committee.

**Mr. Kirkpatrick** rose to speak; but, it being six o'clock, on motion of Sir J. A. Macdonald, the House adjourned till tomorrow.

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[Mr. Harrison (Toronto City West)]

# HOUSE OF COMMONS

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Thursday, November 28, 1867

The Speaker took the Chair at 3 o'clock.

## LONDON BOARD OF TRADE

**Hon. Mr. Carling** introduced a Bill to legalize certain appointments, made by the London Board of Trade.

**Mr. Mackenzie** suggested that the incorporation of Board of Trade was a matter belonging to the Local Legislatures. Confirming their by-laws was not a subject for legislation by this House.

**Hon. Mr. Cartier** said this Bill was to confirm the appointment of official assignees, the power of appointing whom was conferred by the Bankruptcy Law, which was a matter belonging to the Dominion.

## THE SPEAKER

On motion of **Hon. Mr. Cartier**, the Bill respecting the office of Speaker of the House of Commons, was read a third time and passed.

## CANAL WORK ON SUNDAYS

**Hon. Mr. Abbott** enquired whether it is the intention of the Government to make any order providing for the closing of the Carillon and Granville Canals on Sundays during the season of navigation?

**Sir John A. Macdonald** said the Government would come to a decision on this question before the opening of navigation next year.

## DEBTS OF THE DOMINION

**Mr. Ault**, in the absence of Mr. McConkey, inquired whether with a view to liquidating its indebtedness to the Bank of Montreal and other floating obligations, it is the intention of Government this session to issue and throw upon the country such an amount of debentures on the credit of the Dominion as will enable it to realize funds to that end?

**Sir John A. Macdonald** said the subject of this enquiry would be gone fully into in the statement to be made by the Minister of Finance.

## EXPENDITURE SINCE 1st JULY

**Hon. Mr. Holton** enquired when the Government would bring down the statement of their unauthorized expenditures since 1st July.

**Hon. Mr. Cartier** said the delay in bringing down the statement had been caused by the change in the office of Finance Minister. It would be brought down as soon as possible.

**Mr. Bolton** enquired whether any Fishery Bounties have been paid, or are intended to be paid, from the general revenues of the Dominion, since the 1st July last; and if so, are such bounties conferred to vessels or claimants of any particular portion of the Dominion?

**Sir John A. Macdonald** asked the honourable member to let the question stand until to-morrow.

## VESSELS

**Mr. Fortin** moved an address for sundry information with reference to the vessels armed in the Dominion of Canada.

**Hon. Mr. Cartier** said the House must appreciate the advantage of having here a gentleman so conversant with everything relating to the navigation of the whole Dominion as the member for Gaspé, and the Government had much pleasure in acceding to his motion.

**Mr. Mackenzie** called attention to the fact that a good many vessels owned in Canada were registered in English ports. If special pains were not taken to get full information, the returns would be imperfect.

The motion was then agreed to.

## NEW BRUNSWICK JUDGES

**Hon. Mr. Smith** moved an address for correspondence between the Governments of the Dominion and New Brunswick, on the salaries of judges of county courts of New Brunswick. He said that, at its last session, the Legislature of New Brunswick passed an Act establishing county courts in that province—not because they were required, but

because it was necessary to provide for gentlemen who had taken an active and distinguished part in promoting Confederation. In the discussion of the question, there was a difference of opinion among the delegates to England themselves as to whether it was competent for the Legislature to establish these Courts, or whether their doing so was in accordance with the spirit and intention of the Act of Union; and inasmuch as there was a difference of opinion as to the propriety and right of the Legislature to pass the Act, it had seemed to him a fair subject of enquiry to ask the Government whether the large salaries attached to those offices were to be paid out of the Treasury of the Dominion, or out of the Local Treasury. He said he had put the question before in a straight forward way, and had been answered in a cavalier manner by the Minister of Militia, who told him the Government would pay such salaries, as they were obliged by law to pay. This was an evasion of his question, and he had therefore brought this motion.

**Hon. Mr. Johnson** said he was the only delegate who had differed from his colleagues on this question; but he did not take the ground that the Legislature had not the right to establish these Courts. He held that that right previously existed, and had not been taken away, but that as the salaries were to be paid by the General Government, it was the Dominion Legislature which should establish these Courts.

**Hon. Mr. Tilley** said there was not the slightest objection to bringing down whatever papers relating to the subject existed. He thought, however, the member for Westmoreland (Mr. Smith) had no right to say that the object of the Act in question was to make places for friends. In the Quebec resolutions, the clause as to County Judges was confined to Upper Canada; but, when the Act was being finally prepared in London, it was made applicable to the whole Dominion, and under the authority thereby given this Act establishing County Courts in New Brunswick was established.

After remarks by **Hon. Messrs. Fisher** and **Smith**, the motion was carried.

#### FISHING LICENSES

**Mr. Fortin** moved for a return as to the fishing licenses issued to American vessels in the years 1866 and 1867 in the Provinces now forming the Dominion of Canada. Carried.

[Mr. Smith (Westmoreland)]

#### MINISTERS AND THEIR SEATS

The House then resumed the consideration of the motion proposed by Mr. Blake, that a select committee be appointed to enquire whether the Minister of Militia, Hon. G. E. Cartier, has a legal right to sit and vote in this House.

**Mr. Kirkpatrick** having made some remarks,

**Dr. Parker** supported the motion, pointing out that Mr. Cartier was not assailed as a Privy Councillor, but as Minister of Militia, as which he was disqualified to sit. He thought that it exhibited great carelessness that such matters were not provided for in the constitution.

**Hon. Mr. Fisher** thought it clear that the Independence of the Parliament Act did not render the Minister of Militia ineligible to sit.

**Hon. Mr. Dorion** said that the discussion showed that doctors were not the only ones who differed—nearly every one who had spoken having offered a different opinion. The interpretation put on the Independence of Parliament Act by gentlemen opposite was different from that heretofore held. It would lead to monstrous consequences, if the Governor might call away a number of judges or other Crown officers to the Privy Council, and thus secure them the privilege of sitting and voting in the House. If that was the interpretation which was to prevail, the sooner the law was changed the better. When the Minister of Justice said there was a constitutional necessity for the Privy Council to be represented on the floor of the House by Ministers of the Crown, he (Mr. Dorion) could understand that argument. It was saying that they found themselves between two difficulties. He thought, with the former speaker, this discussion showed how crude our new constitution was. There had been more points brought in question these twelve days than he remembered the whole time he had sat in the House. The honourable gentlemen opposite had met none of the legal arguments of the member for West Durham. It was pretended that till a salary was attached by law to the office, the holder was not disqualified to sit; but if a salary or allowance was not attached by law, it certainly was by Order in Council. If this pretension was maintained, office-holders might retain seats in the House continually, knowing that estimates would be passed which would furnish means for paying

their salaries. The importance of the question was seen by the fact that of late the number of Ministers had increased. There was no doubt this increase caused much dissatisfaction in the public mind. He thought the question might be settled either by the withdrawal of the motion and trusting to the assurance of the honourable gentleman opposite or by accepting the proposition of the Minister of Justice to postpone the discussion three months to permit of legislation necessary to meet the difficulty.

**Mr. Morris** thought the spirit of the British constitution had been fully carried out by the gentlemen of the treasury benches who had been returned by their constituents since accepting office—and that the solution of the question offered by them would be satisfactory to the country.

**Hon. Mr. Howe** said the discussion had shown one thing at least, and that was that there were some flaws in this new system of government—that it was not altogether perfect. He might also be allowed to state that he had listened to fifteen or twenty questions being put to Ministers and more curt, unsatisfactory answers—evincing sometimes little courtesy or respect for gentlemen in opposition—he had rarely ever witnessed. In the Senate, the same course was pursued by Ministers of giving brief answers, involving no explanation whatever. This was not a satisfactory state of things, they had sat for three weeks, and yet they had no explanation of the policy of the Ministry—not one public measure explained in any sort of lucid way, and the House knew no more about the policy of the Government than on the first day they met. If this discussion had done no other good, it had at last shown that the system of Government may require some amendment, and that Ministers may sometimes have to throw themselves upon the good feeling of the whole House. In regard to the question before the House, he did not blame the Government for the course they had taken. The Minister of Militia had accepted office and his constituents had elected him fully understanding that he would draw a salary from his office. It was right to limit the power of the Crown to interfere with the independence of Parliament; but the practical question was—are there too many Ministers of the Crown in the House? If there were, they ought by statute to limit the number. He was not prepared to say that there were at present so many that the independence of Parliament was jeopardized. He did not see

the necessity of so many Cabinet officers, but in a House of 181 members, there was not much danger of their independence being destroyed by the present number of the Cabinet officers. If it should prove otherwise then there would be reason for their drawing the line closer and abolishing some of the offices. In the meantime, the course pursued by the Minister of Justice met the case, and he had no doubt his friend from West Durham would accede to it.

**Hon. Mr. Cartier** agreed with the member for Hants that the discussion had done some good; it had shown the honourable member for West Durham, and those who agreed with him, that the position which, before, they thought was a sound one, is now, in common parlance, rather shaky. (Hear, hear.) He had hoped that as the honourable mover of the resolution was a gentleman renowned as a Chancery lawyer, as an advocate in a court where reason, justice and equity were held to be the guiding principles, and he did expect that in this House he would have pursued the same avocation, and brought the like principles to the support of such questions as he would espouse. He (Mr. Cartier) had once the honour to be a supporter of a gentleman who was remarkable for the terseness of his reasoning—who was the father of the honourable member opposite, and he would only say that so far, he thought the father had every reason to feel proud of such a son. (Applause.) He thought, however, the honourable gentleman had not brought the broad, general principles of the Court of Chancery to the consideration of the question before the House. He had endeavoured to prove his case by mere technicality, and even on the technical argument, he (Mr. Cartier) held that the honourable gentleman had entirely failed to make out his case. Even if by the technical provision of the law the Minister of Militia might be excluded as respected Canada, he could not by that Act be excluded as Minister of Militia for the Provinces of Nova Scotia and New Brunswick. The Canadian Act of Parliament had not been enlarged in its application by the Act of Union; it was passed when the Act of Union was not in contemplation, and even technically admitting its force (which he did not do) it could not be extended to all the Provinces. But he did not stand on the mere interpretation of that Act for his position. According to the preamble of the Union Act it was declared that this Dominion should have a constitution analogous to that of Great Britain, and according to that constitution all Ministers of State, whether con-

nected with the collection or expenditure of revenue, should have seats in Parliament. Mr. Cartier went on at length to vindicate the position of Ministers, explaining the provisional character of appointments, etc., and finally replying to the complaint of the honourable member for Hants, that questions had not been courteously or satisfactorily answered.

**Mr. Blake** said his object in rising yesterday, when the Minister of Justice resumed his seat, was to say that he acceded to the proposal of that honourable gentleman, as he considered the answer of the Minister of Justice one which quite justified his proposal, that in case the motion was persisted in, the debate should be adjourned for three months. He had intended to say, that not being disposed to quarrel about matters of form, being rather anxious to obtain matters of substance, and the object of his motion having been so far gained, he was willing with the consent of the House, to withdraw it. He was glad, however, that the discussion which followed had taken place. It had not been without its use. If for nothing else, it had been of use for this—that when they came to frame an Independence of Parliament Act, it would be framed so as by no possibility could that construction be placed on it which had been placed on the existing Act, not by the leader of the Government, but by those who followed him, and who more zealous than himself, had put on the Act a construction which would render its provisions entirely nugatory. If the Act bore the construction placed upon it by those honourable gentlemen, it would be an Act which, under the guise of securing the Independence of Parliament, would leave it open to the Crown to fill the House with salaried officers, subservient to its will. He had been accused of taking narrow ground on this question, and it was said that those who opposed him took the broad ground. This claim reminded him of the broad road which leads to destruction, for if the view of those honourable gentlemen was supported it would lead to the destruction of the independence of this House. Though the theory of our constitution was that advisers of the Crown should possess the confidence of the House, and the practical mode of working it was that a certain number of those advisers should be on the floor of the House, yet experience had demonstrated, as the legislation on the subject proved, that this correct mode of working the constitution was liable to abuse, and that it was necessary to prevent, by stringent enactments, the possibility on the part of the

[Mr. Cartier (Montreal East)]

Crown of filling the House with more than the necessary number of executive officers. In this view, he asked whether, in urging a limitation which would prevent two at least of the present large number of departmental heads from sitting here, he was not in good sooth urging the broad construction which should be put upon the law, while it was the other view that was the narrow case. Then it had been argued that no salary was attached to the office of Minister of Militia. There could be no doubt, however, that a salary had been paid to the Minister, although, technically, a salary might not be attached to his office until it should be voted by Parliament. If the argument were correct, any number of such officers might be created and they might sit and vote without being disqualified, because Parliament had not voted them salaries, while, in fact, they were receiving pay from the Crown. He trusted that the Act to be introduced by the Government would be so framed that such a construction could not possibly put on it hereafter. He agreed in the constitutional argument of the Minister of Justice. He agreed that it was competent for him and his colleagues to take the responsibility of advising the Governor-General that it was necessary to have a certain number of Ministers, and then to come down at the earliest moment to this House and get indemnity; but he considered that there was no necessity for violating the constitution by appointing before the House met other Ministers than those allowed under the former system, and a greater number than was necessary. But as the Minister of Justice had promised that a Bill would be brought before Parliament making the necessary provisions for the regulation of this matter, it would serve no good purpose to discuss it further now.

The motion was then withdrawn.

#### RAFTING OF TIMBER

After the recess, the House went into further consideration of the Bill respecting the rafting of timber on the inland waters of Canada.

**Mr. Bellerose** observed that the honourable member for Lambton stated, when this Bill was introduced, that if he (Mr. Bellerose) examined the law, he would have seen that various matters in it had already been provided for. He did not think so. The Bill had not been properly treated. He believed if he had moved for a committee to enquire into the matter, it would have been granted. He wished the Bill to be referred to a commit-



tee composed of gentlemen concerned in the lumbering trade, and he hoped the House would allow it to pass to a second reading.

**Mr. Bodwell** said the law already made provision for all the House was asked to do.

The amendment was then put to postpone the Bill for six months, which was carried.

### "DUAL" SEATS

**Mr. Mills** moved the second reading of the Bill to disqualify members of local legislatures from sitting or voting in the Senate or House of Commons, and said it was essential to the proper working of representative Government that members should not occupy seats both in this House and in the Local Legislature. It is necessary that the Local Legislature should be composed of persons entirely distinct from the general Government, in order to prevent the Parliament of Canada from making encroachments upon the Local Government. When persons sit in both Legislatures, they have no motive for guarding the Local Legislature from encroachments, and those barriers erected by the Constitution will exist only on paper. Suppose the Minister of Militia has a seat in the Legislature of Quebec while he is here as one of the advisers of His Excellency. He has to advise His Excellency who to appoint as Governor of Quebec, and if he has control of the Legislature in Quebec, how can His Excellency carry out his views, if they are not in accordance with the person who has assisted in placing him in his position. The man who has a position in the Ministry here, and a seat in the Local Legislature, and becomes a Minister of the Crown there, His Excellency becomes a mere puppet in the hands of his advisers. He cannot act in accordance with his own judgment when in the hands of advisers to whom he is indebted for his position. The people of New Brunswick and Nova Scotia have declared against dual representation, and a large portion of Quebec have done the same. In Ontario, but one person in twenty has a seat in both Legislatures; about thirty-nine fortieths have declared against it. It was his intention, if this Bill passed a second reading to refer it to a committee for any improvements that might be necessary. He now moved the second reading of the Bill.

**Mr. Chamberlin** was entirely opposed to the Bill, both as a question of time and a question of principle. They had something better to do than to be tinkering at the

constitution any more than there was necessity for. They came here to give the country some practical legislation. The tariff wanted remodelling, and every department of the Government required to be re-organized. There was an immediate necessity for a great amount of practical legislation, and they should wait for a more convenient opportunity to deal with mere theoretical grievances. The best sort of legislation was that which was pursued in England, which was not to remedy imaginary, but practical and well ascertained evils. When any evil is ascertained to exist then the statesmen of England think it necessary to apply a legislative remedy. Have we experienced any such practical evil working of the law in this country? Have we had time to find out whether any evil will arise from members holding seats in the General and the Local Legislatures? Cannot we afford to wait until some future session to ascertain whether that law works well? Every man who has studied history carefully, especially the history of Federal Governments, knows that the greatest danger to their stability lies in the amount of jealousy and friction likely to grow up between the Local and the General Governments. This is especially seen in the history of the United States. That country has suffered in consequence of the powers exercised by the Local and the General Governments being ill defined, and it has resulted in imposing upon that people a constitution that their forefathers would never have assented to. We should avoid this jealousy rising up against the General Government. By having some members in the Local Legislatures, we will promote a spirit of harmony between them and the General Government. They will carry our views into Local Legislatures, and they will bring us back some ideas acquired by mingling with their orators. This will tend to ward off continual collision between the Local and the General Governments. The people should decide the question of dual representation, every constituency for itself. There are very few men so ambitious and industrious that they will care to sit in both Parliaments. Therefore, it was best to leave the people to decide the question, and there was no doubt but they would decide wisely and well.

**Mr. Johnson** said if a man attended to his duty in Parliament he would have but little time to devote to the interests of the Local Legislature or Local Government. If a man had too many irons in the fire, some of them would get cold before he got them out. A

man holding a seat in both parliaments would be actuated by local feelings in administering the affairs of the General Government. The Bill did not affect members who held seats in both Houses at the present time, but when a seat became vacant in this Legislature by death or otherwise then this law was applicable to those seats. He hoped the time would come when the whole Dominion would be divided into Electoral districts, and that instead of sending single representatives from single counties several counties would be formed into one district, and then a man would require to have some ability to secure his election.

**Sir J. A. Macdonald** agreed with his honourable friend, Mr. Chamberlin, in his objections to this measure. The course adopted by the Parliament of England was that the constitution must be upheld until an evil is shown to exist; otherwise they would have philosophers and theorists continually making imaginary improvements upon the Constitution. They should legislate for the welfare and development of the country instead of occupying the time of the House discussing probable improvements in theory. In answer to the Speech from the Throne, they promise to give the constitution a full, fair and impartial trial; and now they try to alter it before there was a chance of knowing by experience whether the alteration would be an improvement or not. The Imperial Government had no thought of excluding by any provisions of the Act parties from sitting in both Legislatures. He was rather surprised that a member of the Liberal party should begin his career by circumscribing the liberty of the people. He found the Conservatives just as ready, and sometimes more ready, to trust the people than the Liberal party. He was willing to trust the people to choose for themselves. This matter must be considered not only as a privilege of the candidate, but as a privilege of the people. It was an old theory of the British Constitution, that if a person was elected a member of Parliament, he was obliged to perform the duties imposed upon him, otherwise he was liable to a fine. There was a case of this kind almost in our day. Robt. Southey was elected against his will, and he was obliged to write a letter to the Speaker, saying that he had not the necessary qualification, otherwise he would have been compelled to serve. Another objection to this measure was, that it was introduced in a wrong tribunal; it was the duty of every public man to give his assistance when called upon to the Chief Legislature; and it was for

[Mr. Johnson (Northumberland)]

the Local Legislature to say whether he, having a seat here, could spare time for the smaller body.

**Mr. Mackenzie** said the Minister of Justice in arguing against the Bill had attempted to make two points—first that the Constitution would be infringed, and 2nd that the liberties of the people would be abridged by its provisions. But, in addition to these, he followed up the argument of the member for Missisquoi that we should always wait till an evil comes before providing a remedy. If he had carried out that principle to its legitimate conclusion, he should not have made provision for the threatened attack of cholera.

**Mr. Chamberlin**—Did not cholera exist before any provisions were taken against it?

**Mr. Mackenzie**—Yes; but it did not exist in this country, where the honourable gentleman thought it necessary to take precautionary measures before the evil appeared. In like manner, we had a Bill now before the House providing for a possible invasion by Fenians. Why not wait till the Fenians came? The honourable gentleman took strong grounds that the constitution should not be meddled with until some evil had developed itself which required a radical cure. Did he think the elective principle in the Upper House worked so badly that we were under a necessity of reverting to the nominative principle?

**Sir John A. Macdonald**—In that case, we were a constituent assembly forming a constitution.

**Mr. Mackenzie** said he could not admit that the self-appointed delegates who met at Quebec were a constituent assembly to form a constitution. For his own part, he thought one House was sufficient, but if we were to have two he preferred a nominated to an elected Upper House. He knew, however, that the bulk of the people were in favour of the elective principle and why did the honourable gentleman revert to the nominating principle while he had been accustomed to assert that the elective principle had been found to work well? And why as regarded Upper Canada did he do away with the Upper House altogether while two houses were allowed to Lower Canada? Was not this a meddling with the Constitution on theoretical grounds, the very thing which he now condemned? But he denied that if this Bill should become law to-morrow, it would be any infringement on the constitution. It was quite unworthy of the honourable gentlemen to argue that a

Warden or Reeve might as well be prohibited from holding a seat here as a member of a Local Legislature. The one was a member of a purely municipal body, the other of a Legislative body. There was no analogy whatever between them. He would come now to the argument that this Bill would be a serious infringement of the liberties of the people, which he thought was a fair subject for discussion. Suppose the Lower Provinces, with perhaps Newfoundland and Prince Edward Island added to the Confederacy, permitted the members of their Local Legislatures to have seats here, we might have twenty-five Local Ministers in this House, besides nine Dominion Ministers, and if the Ministry for the time being took the same pains as gentlemen opposite had taken during the late election to compel a kind of harmony between the different Governments, the influences which all these Governments combined would have in a House of less than two hundred members would be excessive and dangerous to the liberties of the people. It had been said that there was no demand from the people for this Bill. As regarded Ontario from all he has seen he was satisfied that public opinion was hostile to the system of dual representation. He thought the Local Legislature should be as independent as possible of the General Legislature, and that the respective Governments might perfectly well discharge their several functions although holding for the time opposite political opinions. Entertaining these convictions he had no hesitation in saying that he approved of the Bill which had been introduced by the member for Bothwell.

**Hon. Mr. Cartier** was opposed to the Bill for two reasons: First, because if it became law it would be an infringement on the rights of selection of representatives of the people, and second, such Bill could not become law, and if passed by this Parliament would be an infringement of the constitution. With regard to the first proposition, if the electors of any district were prevented from selecting whom they chose, it would be restricting the elective principle. One section of the Reformers of Ontario had agreed that it was proper a member should sit in both Houses. If this Bill had been in operation, either the Local Legislature or the Commons would have been deprived of the services of the able member for West Durham, of South Bruce, Cornwall, and others. Then in regard to Conservative opinion, he (Mr. Cartier) was considered rather Conservative, and public opinion had sanc-

tioned his return to both Houses. Coming to the Liberal party of Lower Canada, he found the member for Athabaska returned for both; and the brother of the leader of the Opposition, Mr. Wolfred Dorion, had run for both Houses. Then coming to the other proposition, that such Bill was an infringement of the Constitution, it provided that no person should sit for both Houses, and if a member of the Commons or Senate was elected to the Local, his seat in the Commons or Senate should be declared vacant. All provisions in regard to the Senate was an infringement of the Constitution. The Parliament of Canada had no right to alter the Constitution of Canada.

**Hon. Mr. Chauveau** said that notwithstanding a desire not to address the House on a question affecting his own seat, he felt compelled to give his deliberate opinion that members of the Local Parliaments may sit in the Commons. It would be strange indeed if the rights of those enjoying a double share of the confidence of the people should be the first questioned? He was surprised the member for Lambton should have asserted that this Bill would not effect a change in the constitution. He (Mr. Chauveau), was prepared to try this question as representative of the County of Quebec. He had been returned by acclamation to both Houses, although he held office in the Local Government. The British constitution never intended such a narrow construction as to prevent the people reposing a double share of confidence in their representatives. It was because local interests were so closely connected with the great business interests of the country that the presence of Local Ministers was desirable in this House. The most absurd argument was that double representation was unpopular. If so, it was not dangerous. People need not send the same representative to both House unless they pleased. He held that no measure could be more calculated to thwart Confederation than that before the House. They had something else to occupy them in the measures for the development of the resources of the country, than to commence at the outset by making changes in the constitution.

**Hon. Mr. Dorion** said they had learned from the speech of the Premier of Quebec that there was a great deal to be done to perfect their new constitution, and for his part he was disposed to do it; but the House had been sitting for 21 days, and yet the Government had not brought down their measures; and if they consumed time discuss-

ing this question, surely Government had no right to complain, seeing they had not a single measure ready. The question before the House was an exceedingly important one. If he had any doubts of its propriety before, these doubts were dispelled by the arguments of the gentlemen who opposed this Bill. It was very comfortable to members of the Government to combine—as had been done during the last elections the influence of the Ministers of the Dominion and the Local Governments in order to secure a large majority in their favour; and he was not at all surprised to see Ministers of both Governments anxious to sustain the advantages of that position. The present system gave undue influence to the government of the day over members of the House. He held that the people were in favour of this measure, though in some individual localities they had elected the same members to both Houses, under those combined influences to which he had referred. The interests of the two governments might clash; in that case the interests of the whole Dominion should be first consulted. But those gentlemen elected to represent both interests came to this House as interested parties. Not only were the people of Ontario and Quebec in favour of this measure, but the people of New Brunswick and Nova Scotia had enacted in their Legislature that members of Local Legislatures should not be qualified to sit in the Commons. Gentlemen opposite had stated that this measure would infringe the rights of the people in not allowing them to choose certain men to represent them. Why, they were doing that every day. Judges and other officers were not allowed to be elected to Parliament, though they might be the choice of the people. He believed the Bill was a good one, and he would support it.

**Mr. Young** thought the argument of the member of Hochelaga well timed indeed. The House had now been in session three weeks, and very little had yet been done. The result would be that at the end of the session everybody being anxious to get home important measures would be pushed through without receiving that attention which they desired, and which should be bestowed upon them by the House. He argued against the doctrine advanced by the member for Missisquoi, and held that, to a certain extent, members of the Local Governments in this House were dependent upon the Government of the Dominion. He commented on the fact that since the opening of Parliament those members who held seats in Governments of

[Mr. Dorion (Hochelaga)]

Provinces had been silent upon various subjects that had come before the House. He thought this showed they occupied a position of dependency upon the Government of the Dominion, that they were subordinate to it, and that they themselves were conscious they were not free to act independently, according to the dictates of their judgment and the interests of their constituents. Suppose the Premier of Ontario should, as a member of this House, take a stand on any question in opposition to the Premier of the Dominion, was it not likely that Conservative members in the Ontario Legislature would withdraw their support from him? In the same way, if the Premier of Quebec should place himself in an attitude of hostility to the Minister of Militia in this House, would not the friends of the latter array themselves against the Government of that Province? He thought this afforded a powerful argument why this Bill should be pushed by the House. Then there was a great practical inconvenience in having gentlemen occupying seats in both Houses, because it then became impossible for both Houses to meet at the same time without injury to the business of one of them. He thought the principle a sound one that no man could serve two masters—that one could not serve both God and Mammon. Questions would be continually arising, in regard to which it would be impossible for a member sitting in both Houses to discharge his duty faithfully and honestly to both. If he did his duty to one, it must be at the expense of the other. For these reasons he supported the Bill, which he found was favoured by journals of all shades of political opinion, and he believed, by the people of the country generally.

**Hon. Mr. Holton** said the case cited by the Minister of Justice, of Lord Castlereagh and Grattan, who held seats in the British as well as the Irish House of Commons, afforded no analogy, because Ireland at that time was entirely separated, as far as legislation was concerned, from Great Britain, and had no representation in the Parliament of the Empire. In this case, on the contrary, we had gentlemen sitting for the same constituency in both the general and Local Parliaments.

**Sir J. A. Macdonald** held that the principle was the same in both cases. He argued that the Bill was *ultra vires*, because the House had no power to change the qualifications of senators or add to their disqualifications, which it was proposed to do in this measure.

**Mr. Tremblay** said he would vote for the Bill.

**Mr. Ferguson (Cardwell)** opposed the Bill on the ground that Parliament had no power to legislate upon the subject.

**Mr. McDougall** objected to the Bill because it was premature. It was not intended by the framer himself to go into operation at once, which fact showed it was not now necessary, and it would serve no good purpose to take action of this kind at so early a day, because ample time should be given for discussion, both in Parliament and country. He objected to it, also, on broader ground—as a Liberal, as a Reformer, as a member of the great Liberal party of Upper Canada. It was a matter of surprise to him that the honourable gentleman who moved this Bill, claiming to be a member of the Liberal party, should be the man, of all others, to bring in a measure that restricted the rights and privileges of the people. He thought it was not for this House, and especially for the Liberal members, to object to the election of any man whom the people choose to send there—just in the same way as he thought the property qualification should not be required of those who sat in the Commons. In a young country like this, when there was no great superfluity of men qualified to perform the work of legislation, it was especially inexpedient to limit the choice of the people as to their representatives, and he was not disposed, in our present condition, to pass any law which would necessarily restrict or qualify the free choice of the people of the country as to who should represent them, either in the Local or General Legislatures. He did not think there was any necessity for both Houses meeting at the same time. On the contrary, one should, as much as possible, wait upon the other, and on every ground it was desirable there should be harmony between the two bodies. It was necessary there should be no clashing of interests, that the policy of both Legislatures should, as closely as possible, move in the same direction, if it was desired to see the Union succeed, and the people become prosperous and happy. For these reasons, he did not think it expedient or in accordance with the principles of the great Liberal party of Ontario, that at the very beginning of the legislation in the House of Commons, they should adopt measures which restricted the rights of the people. He moved, in conclusion, that the Bill be read this day six months.

**Mr. Rymal** said he believed the prevailing opinion in Ontario was hostile to dual repre-

sentation. He did not think the case of the member for Cardwell (Mr. Ferguson) was a fair criterion to judge from. That gentleman was known as one remarkably firm in his principles. His motto was "no surrender"; and he had other claims to the gratitude of his constituents—he was something of a warrior—(laughter)—and warrior statesmen had always a strong hold on the people. The hero of a hundred battles, the immortal Duke of Wellington, had been rewarded with the highest honours. General Washington was raised to the highest position his people could confer on him. General Jackson almost immediately after the battle of New Orleans was elected to the Presidency, and was it to be wondered at then that the hero of Black Creek should have his merits recognized by two constituencies. (Great laughter). As regarded this Bill, however, he thought the time of its introduction was inopportune. Let two or three years elapse, and if the Government of the Dominion continued to exercise the same pressure as hitherto on the Local Governments, the people of the Dominion would come to the conclusion that our local self government was a sham. Let all the local Ministers be packed into this House, with the influence, which must be considerable, that would be exercised over them by the Government of the Dominion. Then, as the Minister of Public Works expressed it at the Toronto Convention, his colleagues "must have lost their cunning" if they were not able to manage the affairs of the Provinces very much as they saw fit. He believed though the Bill might receive its death blow this session, yet before this Parliament expired, there would be a demand from one end of Canada to the other, for a measure which would prevent dual representation.

**Hon. Mr. Cameron (Peel)** would prefer to see the Bill laid ever till the Independence of Parliament Act was passed. To his mind the essential point was whether members of Local Governments were entitled to seats in this House. This measure would interfere with the proper consideration of that one, and he would feel compelled to vote against it, if the mover pressed.

**Mr. Mackenzie** said the only reason for pressing the Bill now, was that it might come in force in respect to any vacancies that might occur. However, it was not well to press a division to-night, and he would advise the mover to withdraw his Bill for the present.

**Mr. Mills** said the fact of municipal officers being eligible to seats in Parliament did not relate to the present case. Municipal councils were distinct and separate bodies and derived their powers from independent sources, not from the general Governments. Local Legislatures had to deal with political questions and would be divided into political parties just as the Dominion Parliament is, and it was quite natural for parties in the general Parliament to feel an interest in the success of their party in the Local House. This Bill was not an attempt to tinker up the constitution as the member for Missisquoi had stated. It was not introduced with the view to change the constitution, but with the view to carry out those federal principles which lay at the basis of our new system of Government, and to enable the different Governments to carry on their functions independently and without interference. Gentlemen opposite stated that this matter should not be dealt with by Parliament, but should be left to the people. If that was a correct principle he could see no reason why Judges and other salaried officers of the Crown might not sit in Parliament if they could only get a constituency to elect them. After hearing the discussion on the Bill, he would beg leave to withdraw it.

The order was accordingly discharged.

#### BANK OF UPPER CANADA

**Hon. J. H. Cameron** moved the second reading of the Bill for the settlement of the affairs of the Bank of Upper Canada.

**Mr. Mackenzie** said there were strong objections to this Bill by parties who had telegraphed to him asking that it be postponed until their petitions against it could reach Ottawa.

**Hon. Mr. Cameron** said there would be time enough for petitions to be received during the nine days which must elapse before the Bill could be considered by the Committee on Banking and Commerce.

The Bill having been read a second time, **Mr. Cameron** moved that it be referred to the Committee on Banking and Commerce.

**Mr. Ferguson** said the Bill was to legislate a large number of people out of their rights and their moneys, and he thought that it should stand over the long adjournment, that all interested might have an opportunity of making themselves heard.

**Hon. Mr. Cameron** said that there was nothing in the Bill to relieve shareholders of one iota of their responsibility. He would not move a suspension of the 62nd rule. Ample time would be allowed, and the fullest information as to the affairs of the Bank would be laid before the Committee.

The motion was carried.

#### BUSINESS FOR TO-MORROW

**Hon. Mr. Holton** said that to-morrow was Government day, and in accordance with an old and wholesome usage, he would ask what business the Government would then go on with.

**Sir John A. Macdonald** said that the Government would go on with all the business on the paper that was ready. (Laughter).

The House adjourned at ten minutes to twelve o'clock.

#### NOTICES OF MOTION

**Mr. Shanly**—Motion for address for all correspondence subsequent to the 1st January, 1859, between the Imperial and Local Governments, relative to the claims of G. H. Ryland, as well as copies of all proceedings by the Government in council thereon, and any letters on the subject addressed by Ryland to the Governor-General or to Ministers of the Crown.

**Mr. Anglin**—Motion for address for return showing the entire amount paid the several delegates sent to England in the year 1866, by the Government of the old Province of Canada, and by the Governments of Nova Scotia and New Brunswick, to promote the passage of the Act of Confederation, and the amounts paid on their accounts to any parties, distinguishing between the amounts paid as remuneration for services of the delegates and the amounts paid as expenses, and also the amounts, if any, due to any of the delegates.

**Mr. Harrison**—Enquiry whether it is the intention of the Government, in the contemplated alterations of the tariff, to increase the excise duty on spirits.

**Mr. Harrison**—Enquiry whether the Government House at Toronto was insured at the time of its destruction by fire, and whether the Confederate Government intend to take any, and if any, what steps towards its restoration.

**Mr. Mackenzie**—Motion for address for copies of the report of the Queen's Printer, regarding the distribution of the statutes.

## HOUSE OF COMMONS

Friday, November 29, 1867

The Speaker took the chair at 3:20 o'clock.

The Speaker read his decision with regard to Mr. Chapais' Kamouraska election petition, referring to the analogous Knarborough case as establishing a precedent for its reception:

The Petitioner alleges that he had a right to vote, that he was a Candidate at said Election, and complains that he was not returned as Member Elect, but that the Returning Officer made a special return to his great prejudice, etc., etc.

There are three definitions by the Statute, of what shall be deemed an Election Petition under it:

'1st. When it complains of an undue Election.

'2nd. That no Return has been made according to the requisition of the Writ.

'3rd. Of the Special matters contained in said Return.'

This Petition falls under the 2nd head, and the objection is taken that it cannot be deemed to be an Election Petition under the Statute, inasmuch as it appears by the Special Return of the Returning Officer, before the House, that by reason of a serious riot, etc., he was prevented from holding the said Election, and that no Election was in fact held.

This objection appeared to me at the first blush to be fatal to the Petition, but I have been referred to an authority, which, I think, settles all doubts. The case of the Borough of Knarborough in 2, Pickwell's Election cases, is remarkably similar in its facts. That was referred to a Select Committee, and adjudicated by that Committee under the same condition of Law as we have under the Controverted Elections Act of Canada.

In that case the election was prevented by riot before the candidates had been declared, and the Returning Officers returned that they were thereby unable to execute their precept.

The Committee reported to the House, that no election had been held; that a new writ ought to issue, and that certain persons, naming them, were concerned in the riot.

The Report was adopted by the House, a new writ was issued, and the Attorney-General was ordered forthwith to prosecute the rioters. An information was tried against them shortly after, and they were convicted and sentenced to imprisonment by the Court of King's Bench.

All these proceedings were taken in a case where, like the present, no election had in fact been held.

In view of this authority, I feel bound to recommend to the House that the petition in question be received. The delay in issuing a new writ may seem a present injustice to the constituency, but a much greater evil might flow from an invasion of the spirit of our election law, viz: To remove from the House all questions touching elections or the rights of candidates and elections, which are to be adjudicated under the sanctity of an oath.

I therefore recommend the reception of this petition as an election petition.

Hon. Mr. Holton said he did not propose to invite the House to dissent from the decision expressed. The Speaker had no doubt given the subject his best attention; but this was a very important matter, and the precedent referred to was a very old one, and the House should understand clearly the full import of the decision it was now asked to make in the reception of this petition. The precedent to which the Speaker had referred had no doubt a certain point analogous with the case now before the House; but whereas the Knarborough case arose from the fact that no election had been held, and redress was sought by the electors, this petition was on behalf of one who never was a candidate, but who asked to be declared sitting member for the county. It seemed to him that by receiving the petition and referring it to a Committee, the House would admit that Mr. Chapais was a possible claimant of this seat without a nomination having been held, and without an election court having been opened, and he thought there was very great doubt whether there was an issue that could be referred to an Election Committee. Of course, if petitions were a remedy against the disfranchisement of the people, it would be competent to refer it to any committee to determine what remedy should be applied. He thought there was a very important distinction between the two cases. By receiving this petition the way was opened for this gentleman to be seated in this House as representative of Kamouraska.

Hon. Mr. Cartier thought the honourable gentleman, by his statement, was prejudicing the case. In the discussion the other night, he (Mr. Cartier) quoted a law enacted by the Lafontaine-Baldwin administration, which permitted parties desirous of becoming candidates, to give in their qualification before nomination day, and make themselves known as candidates. If it turned out that the petitioner was not a candidate, there would be a report in accordance with law. In 1852 or 1853, some violence was committed at the

election. The matter was referred to a committee, and the officers were brought to the bar of the House and dealt with. He hoped his honourable friend would not persuade the House, or any one outside, that the Government were desirous, because he (Mr. Cartier) happened to present the petition, to force forward any individual who had not been a candidate according to law.

**Hon. Mr. Holton** said that when he stated that Mr. Chapais had never been made a candidate, he of course meant that he had never been made a candidate according to law. That he meant to be a candidate there could be no doubt. His honourable friend had said that the House must not call in question facts. His answer was that Government themselves moved for the production of papers relating to this very matter. These papers disclosed the facts of the case, and this fact among others:—That no election took place, and that the writ was destroyed before a nomination was called for. Mr. Chapais may have rights, but the electors of Kamouraska had also rights, and his honourable friend need not be told that it was right for any elector in Kamouraska to propose any qualified candidate to represent that district even up to the moment of the close of the nomination. None of these proceedings took place. He repeated that Mr. Chapais could have no pretension to the seat, and his demand ought not to be tried at all. He could not bring himself into court. That was his position, and he thought it sound. He had no disposition to divide the House, but thought it should understand the full significance of the act it was now invited to do; further than this, he thought the Government and the Minister of Militia were pushing things a little too far. When the latter took charge of a petition of this kind on behalf of his colleague, it must be assumed that he (Mr. Cartier) believed Mr. Chapais right in his petition, that he advised him to take that course, and that he and his colleagues desired to keep this county without a representative in the House for a long time, instead of taking the course he (Mr. Holton) thought proper—one of issuing a new writ.

**Sir John A. Macdonald** said that Mr. Chapais alleged that, in consequence of a riot, he was kept out of his seat in this House. From his position as a Minister, he was bound to seek a seat; and he alleged that, in consequence of a riot, he was wrongfully excluded from the House. He had a right to petition the House to redress the wrong he [Mr. Cartier (Montreal East)]

had suffered. In all such cases, the law should be carried out. The simple question now was, how best to apply the failure of justice which had occurred. It was not a matter of feeling, or of expediency, but law. There were four modes of proceeding on the return from the Returning Officer, one or other of which might have been adopted:—1st. A writ might issue for a new election at once. For this course there was no precedent. 2nd. The petition might be referred to the General Committee on Privileges and Elections. 3rd. It might be referred to a Special Committee appointed by the House. 4th. It might go under the election law to a Controverted Election Committee. The simple question was to find out which of these modes was the legal one. The Speaker having looked into the matter, had decided that the last was the correct course, being in accordance with English precedent. The member for Chateauguay had said the precedent referred to was an old case. It was not so; it was a recent case, occurring under the amended Grenville Act (Holton, in 1863). Sir John repeated that that was a recent date in a matter of this sort, and said it was the decision not of an election committee but of Parliament, and therefore the more binding. It was a solemn adjudication by Parliament that a case precisely similar to this came within the terms of the Grenville Act, and that the petition being an election petition should be withdrawn from the jurisdiction of the House.

**Hon. Mr. Holton** did not think the House decided that it could not deal with the petition in any other way, but merely adopted that as the most convenient way.

**Sir John A. Macdonald** thought otherwise. The House of Commons was bound by an Act of Parliament the same as an individual, and must take the course prescribed by law. If it was a case to be tried by a Controverted Election Committee, the House could not deal with it in any other way.

**Hon. Mr. Holton** said the learned Knight had not adverted to a distinction which he thought important between the Knaresborough petitions and this of Mr. Chapais. In the Knaresborough case the electors petitioned, setting forth the facts and praying a remedy, but not that Mr. A., B., or C. should be seated. Mr. Chapais on the other hand petitioned that he should be declared the member. By receiving this petition and referring it to an election committee, the House admitted the possibility that there was an issue to



be tried. He did not think such a possibility could be maintained as there has been no candidate nominated and no election. As regarded the Knaresborough case, it was a novel one, and the House was at considerable loss what to do. Finally, as a question of convenience, not of law, they decided on sending the case to a committee; but this was entirely a different case and he could not accept the precedent as binding. He thought it puerile to say the least that such a petition affecting the standing of one of their own body should have been presented by a leading member of the Government who it may be assumed had given advice as to the legality of the proceeding.

**Hon. Mr. Cartier** thought it very wrong in his honourable friend to impute to him that he had advised of this petition. The member for Hochelaga had presented four or five petitions affecting the seats of as many members—would it not be indelicate to impute to him that he advised those petitions? The member for Chateaugay said there had been no election. In asserting this he spoke of his own knowledge, which he had no right to do, in a matter of this kind—but he relied on the return of the Returning Officer. The house could not assume that return was true or that it was false. The right course was to bring the whole question before a committee. The petitioner complained that the return was not correct, and he had a right to have his complaint tried.

**Hon. Mr. Howe** spoke of the difficulty of trying a petition of this kind here; the more they could withdraw cases of controverted elections from the influences of the House the better.

**Hon. Mr. Dorion** said it was of great interest to the constituency of Kamouraska that they should be represented on the floor of the House. As it was not pretended that an election had taken place, the report of an election or select committee must be the same, as it was evident their report could be made. The best way under the circumstances was to issue a new writ at once and leave the details to the select committee, then the constituency could elect a representative without delay, if the petition went before the place before the end of the adjourned session. If the petition is withdrawn, the only question is, was there an election or not. If they established the fact that no election took place, a representative for that constituency could be returned at once.

**Mr. Harrison** submitted that this was not a question of convenience or non-convenience. If it was an election petition, as a matter of law it must go before the proper tribunal, irrespective of the question of convenience. The petition alleged that an important constituency was without a representative on the floor of this House. It was represented that the election did not take place because of riot. Although the election was prevented by riot, yet when the petition was presented to this House setting forth that fact, it was to the election committee. It did not follow that because the petitioner was a candidate he would get the seat. It was in the power of the committee to order a new election.

The petition was then received.

#### THE FINANCE MINISTER

**Hon. Mr. Rose** having been re-elected for Huntingdon, was introduced by Sir John A. Macdonald and Hon. Mr. Cartier, and took his seat.

#### THE COMMERCIAL BANK

**Hon. Mr. Howland**, from the Committee on Banking and Commerce, reported the Bill relating to the Commercial Bank with several amendments, and stated that the Bill had been reported as amended.

#### OFFICIAL REPORTS OF THE DEBATES

Before the Orders of the Day were called, **Mr. Morris** referred to the movement made some days ago to secure official reports of the House. He desired to ask the Chairman of the Printing Committee, whether any steps had been taken to attain the object in view.

**Mr. Mackenzie** said if he followed the example of honourable gentlemen opposite, he would reply, that the matter was under consideration. (Laughter). However, he would go farther, and say that the Printing Committee had referred the matter to a sub-committee, and he hoped to be in a position to present a report on Monday.

**Sir John A. Macdonald** said he might, following the example of the Opposition, inquire as to the nature of the report.

**Mr. Mackenzie** would reply, as the Government would no doubt reply to the member for Toronto West—who was going to ask if it was the intention to increase the duty on spirits—that it was none of his business. (Laughter).

### INTERPRETATION OF THE STATUTES

On motion of **Sir John A. Macdonald** the House went into Committee on the Bill for the Interpretation and Construction of the Statutes. The Bill was reported with some amendments, which were adopted, and the 3rd reading was ordered for Monday.

In the Committee on the Bill.

**Hon. Mr. Holton** expressed regret that the word *Puissance* appeared in this Act as a translation of *Dominion*. It was an improper translation. *Puissance* signified something more than a kingdom. We were not a kingdom, and therefore the word was not applicable to us.

**Hon. Mr. Cartier** maintained that it was, and would insist on keeping the word as long as he was in the House.

### HABEAS CORPUS ACT

On motion to go into committee of the whole on the suspension of the Habeas Corpus Act,

**Sir John A. Macdonald** said that no complaints had been made—that the power given to the Government by the suspension of the Habeas Corpus had been harshly or improperly used. The Government could not feel justified under the circumstances in closing the Session without an Act of this kind.

**Hon. Mr. Dorion** said it was a matter of regret to him that the Government were under the necessity of taking this action. He did not think the circumstances at present required the suspension of the Act. However, if the Government thought it their duty to take this course, they must abide by it under the belief that the information they had received justified it. He was quite ready to admit that so far, no complaint had been made of the proceeding of the Government since the Act was suspended.

**Hon. Mr. Anglin** would not object to the passing of a Bill of this character, if the Government think it necessary. It must always be a matter of grave responsibility to bring down measures like this. On the other hand, it was equally a matter of responsibility to oppose it, if it was really necessary. He would suggest a change in the 3rd clause. He did not think the Act should now be suspended, but power should be given to the governor-General in Council to suspend it when circumstances in their opinion would render it necessary.

**Sir John A. Macdonald**—This Bill empowers Government to suspend its operation at any time and restore the Habeas Corpus.

**Hon. Mr. Anglin** thought it better to have it the other way—give the Governor-General in Council power to suspend Habeas Corpus, and in the meantime let that power lie in abeyance. This Bill actually suspended Habeas Corpus. We should show such tender, careful regard for the rights and liberties of the people who are protected in a special manner by Habeas Corpus that we should not absolutely suspend it unless the exigencies of the case, in the opinion of the Government, required it. Better to give the Governor power to suspend it, even within an hour's notice, and to restore it again when he should see fit, than to actually suspend it.

**Sir John A. Macdonald** said the object of the Bill was to prevent parties from making undue raids upon our territory. If you wait till evidence is laid before the Governor-in-Council, and till a proclamation is issued, parties could make their escape, and the law would be of no avail.

**Hon. Mr. Dorion** objected on principle to Mr. Anglin's suggestion, better to let the Bill stand as it is than to place discretionary power in the hands of the Governor to suspend when he thought fit. It would be admitting that there is no necessity now for a suspension of the Act.

**Sir John A. Macdonald** said he had forgotten to mention one alteration in the Bill. He had changed the time of detaining parties as prisoners on suspension from a fortnight to a month, in order to give time to procure evidence.

**Mr. Blake** said he did not think the member for Gloucester (Mr. Anglin), understood the position of the Government. The Government had brought down their Bill on the ground that there was now a necessity for suspension of the Habeas Corpus Act. He wished it to be distinctly understood that this was not merely a precautionary measure, but that present circumstances justified the suspension.

**Sir John A. Macdonald**—My honourable friend is quite right. That is the position we take.

**Hon. Mr. Anglin** begged to state that he misunderstood the Government. He thought they had brought down their Bill as a precautionary measure altogether, in view of circumstances which might possibly arise.

The House then went into Committee of the Whole on the Bill. All its clauses were passed without amendment or opposition.

#### THE LOCAL GOVERNMENT OF ONTARIO

Hon. Mr. Langevin brought down returns to addresses for correspondence between the Governor-General and the Lieutenant-Governor of Ontario—and for a statement respecting the balances at the credit of the Secret Service Fund.

#### CIVIL SERVICE BUILDING AND SAVINGS SOCIETY

Hon. Mr. Howland introduced a Bill respecting the Civil Service Building and Savings Society.

#### RUPERT'S LAND

The Hon. Mr. McDougall gave notice that on Monday next, he would move the following resolutions, affirming the advisability of incorporating Rupert's Land with the Dominion of Canada, and the advantage of extending westward towards the Pacific the same system of Government established in these Provinces. (Hear, hear.)

1. That it would promote the prosperity of the Canadian people, and conduce to the advantage of the whole Empire, if the Dominion of Canada, constituted under the provisions of the British North America Act of 1867, were extended westward, to the shores of the Pacific Ocean.

2. That the colonisation of the fertile lands of the Saskatchewan, the Assiniboine, and the Red River districts,—the development of the mineral wealth which abounds in the regions of the Northwest,—and the extension of commercial intercourse, through the British Possessions in America, from the Atlantic to the Pacific,—are alike dependent upon the maintenance of law and order in the Northwestern Territories.

3. That the welfare of a sparse and widely scattered population of British subjects, of European origin, already inhabiting these remote and unorganized territories, would be materially enhanced, by the formation therein of political institutions bearing analogy, as far as circumstances will admit, to those which exist in the several provinces of this Dominion.

4. That the 146th section of the British North America Act of 1867, provides for the admission of Rupert's Land and the Northwestern Territory, or either of them, into Union with Canada; upon terms and conditions to be expressed in addresses from the Houses of Parliament of this Dominion, to Her Majesty, and which shall be approved of by the Queen in Council.

5. That it is accordingly expedient to address Her Majesty that she would be graciously pleased, by and with the advice of Her Most Honourable Privy Council, to unite Rupert's Land, and the Northwestern Territory with the Dominion of Canada, and to grant to the Parliament of Canada, authority to legislate for their future welfare and good government.

6. That in the event of the Imperial Government agreeing to transfer to Canada the jurisdiction and control over this region, it would be expedient to provide, that the legal rights of any Corporation, Company or individual with the same, will be respected, and that in case of difference of opinion as to the extent, nature, and value of these rights, the same shall be submitted to judicial decision, or be determined by mutual agreement between the Government of Canada and the parties interested.

7. That upon the transference of the Territories in question to the Canadian Government, the claims of the Indian Tribes to compensation for lands required for purposes of settlement, would be considered and settled in conformity with the equitable principles which have uniformly governed the Crown in its dealings with the Aborigines.

Mr. McDougall, in reply to Mr. Dorion, said the correspondence which had been moved for on the subject of the North West Territory, would be brought down before its discussion.

Hon. Sir John A. Macdonald gave notice that he would on Monday next, move that the House do resolve itself into a Committee of the Whole on Tuesday next to consider the following resolutions:

1. That for the purpose of constructing a railway connecting the port of Riviere du Loup, in the Province of Quebec, with the line of railway leading from the City of Halifax, in the Province of Nova Scotia, at or near the Town of Truro, it is expedient to raise and appropriate by loan a sum not exceeding three million pounds sterling, bearing interest at a rate of not exceeding four per centum per annum, upon the guarantee of the payment of the interest of such loan by the Commissioners of Her Majesty's Treasury, under the provisions of the Canada Railway Loan Act, 1867.

2. That it is expedient to charge the Consolidated Revenue Fund of Canada, with the principal and interest of the loan immediately after the charges specifically made thereon by sections one hundred and three, one hundred and four, and one hundred and five, of the British North America Act 1867.

3. That it is expedient to provide for the payment by the Government of Canada by way of Sinking Fund, of an annual sum at the rate of one per centum per annum, on the entire amount of principal money whereon interest is guaranteed, to be remitted the Commissioners of Her Majesty's Treasury by half-yearly payments in such manners as they may from time-to-time direct, and to be invested and accumulated under their direction in the name of four Trustees, nominated from time-to-time, two by the Commissioners of Her Majesty's Treasury, and two by the Government of Canada, such sinking fund and its accumulations to be invested in securities of the Provinces of Canada, Nova Scotia and New Brunswick, issued before the Union of Canada, or at the option of the Government of Canada, in such other securities as may be proposed by that Government, and approved by the Commissioners of Her Majesty's Treasury, and to be applied under the direction of

the Commissioners of Her Majesty's Treasury, in discharge of principal money whereon interest is guaranteed.

4. That it is expedient to charge the Consolidated Revenue Fund of Canada with the amount of the Sinking Fund immediately after the principal and interest of the loan.

5. That it is expedient to charge the Consolidated Revenue Fund of Canada with any sum issued out of the Consolidated Fund of the United Kingdom under the Canada Railway Loan Act 1867, with interest thereon at the rate of five per centum per annum, immediately after the Sinking Fund.

6. That it is expedient to continue the Sinking Fund until all principal and interest of the loan, and all sums issued out of the Consolidated Fund of the United Kingdom under the Canada Railway Loan Act 1876, and all interest thereon are fully discharged, or until the Sinking Fund and its accumulations are adequate to discharge so much thereof as remains undischarged.

7. That it is expedient that the Government of Canada be empowered to raise, by loan, for the completion of the railway, a further sum not exceeding one million pounds sterling (without guarantee by the Commissioners of Her Majesty's Treasury) and that the consolidated Revenue Fund of Canada be charged with the money so raised and interest, immediately after the charges made thereon in pursuance of the foregoing resolutions.

8. That it is expedient to provide that separate accounts of the monies raised under the foregoing resolutions be kept by the Receiver-General, and that all sums required for the construction of the railway, and carrying out the purposes of the Act authorizing such construction, shall be paid out of such monies, and not out of any other fund—except that the Governor-in-Council may authorize the advance out of the Consolidated Revenue Fund, of such sums as it may be necessary to expend for the purposes aforesaid, before the said loans can be raised; such sums to be repaid to the Consolidated Revenue Fund out of the loans.

On the reading of the orders of the day,

**Mr. Morris** asked the Chairman of the Printing Committee whether it was proposed to suggest any steps towards the preservation of a record of the proceedings in the House in the shape of a Hansard Report.

**Mr. Mackenzie** would not venture to depart so far from the practice adopted by the Government than to say that the subject was under consideration. (Laughter.)

In Committee of the Whole upon the *Interpretation of Statutes* Bill. **Mr. Chauveau** in the Chair.

**Hon. Mr. Holton** took occasion to object to the mistranslation of the word *Dominion* by the French word *Puissance* adopted by the Government in all their documents. It had been said that the Minister of Militia, himself a puissance (a laugh) was responsible for its introduction. It was inappropriate as being more forcible than Kingdom, which was originally rejected as offensive.

**Hon. Mr. Cartier** insisted on the applicability of the word; *Puissance* simply meant power, and Canada was a power in North America. (Hear.)

The Bill passed with some verbal amendments, and was ordered to be read a third time on Monday, when the House resumed.

**Hon. Sir John A. Macdonald**, with every sense of the gravity of the subject and deploring the necessity for such a measure, moved the second reading of the Foreign Aggressors Apprehension Bill, remarking that no injustice had occurred in its operation hitherto.

**Hon. Mr. Dorion** regretted that under any circumstances an Act of such nature should be called for, and even now while admitting that no complaint had arisen from its working, would have preferred it being postponed to next Session. He would offer no opposition, however, leaving the responsibility with Ministers.

**Mr. Anglin** thought that it would have been better to confer authority upon the Governor-General to suspend the Habeas Corpus Act where occasion should arise, instead of first suspending the Act and then leaving it in the Governor's power to restore the constitutional guarantees at any time hereafter.

After some further remarks from Hon. Sir John A. Macdonald the Bill was read a second time and passed through Committee without amendment.

The Canadian Steam Navigation Company Bill was read a second time on the motion of **Mr. Morris**, and the House adjourned at a quarter to six, until Monday.

# HOUSE OF COMMONS

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**Monday, December 2, 1867**

The Speaker took the Chair at 3 o'clock.

## ELECTION PETITIONS

The Speaker reported to the House that no objections having been filed to the recognizances attached to the Kamouraska and Yamaska election petitions, he returned them as unobjectionable.

## RULES OF THE HOUSE

The Speaker presented a body of rules and standing orders for the guidance of the House, compiled by him with the assistance of the Special Committee appointed for the purpose.

On motion of **Sir John A. Macdonald**, the said rules, etc. were ordered to be printed for the information of members.

## FISHERY BOUNTIES

**Mr. Bolton** asked whether any Fishery Bounties have been paid, or are intended to be paid, from the general revenues of the Dominion, since the 1st July last; and if so, are such bounties conferred to vessels or claimants of any particular portion of the Dominion?

**Hon. Mr. Rose** stated that no fishery bounties had been paid since the 1st of July. All that were now due would no doubt be paid either by the Dominion Government or the Local Governments.

## WEST INDIES

**Mr. Mills** asked whether any correspondence has taken place between the Government and any of the Governments of the West Indies, or with any of the Governments in South America, with a view to the promotion of direct trade, by a mutual reduction of the tariffs, by promoting free trade in certain articles, or by encouraging direct steam communication?

**Hon. Mr. McDougall** stated that no correspondence had taken place between this Government and the Governments of the

West Indies on the subject of direct trade, direct steam communications, etc. Such correspondence however had taken place on the part of the Government of the late Province of Canada, and of the other Provinces. He might add that arrangements had been made through the United States Government by which a mail had been sent by every steamer to St. Thomas, from which a great advantage had accrued to the people both of the West Indies and of these Provinces.

## GOVERNMENT HOUSE, TORONTO

**Mr. Harrison** asked whether the Government House in the City of Toronto was insured at the time of its destruction by fire, and whether the Confederate Government intend to take any, and if any, what steps towards its restoration?

**Hon. Mr. McDougall** stated that the Government House in Toronto was not insured at the time of its destruction by fire. As regarded the steps to be taken for its restoration, that was a matter for the Government of Ontario.

## EXCISE DUTY ON SPIRITS

**Mr. Harrison** enquired whether it was the intention of Government in the contemplated alterations in the tariff to increase the excise duty on spirits.

**Sir John** replied that it would be very improper to give the information asked for. (Laughter).

## BANK OF UPPER CANADA

**Mr. Metcalfe** presented a petition from Joseph Barber, praying that the rights of depositors and bill-holders of the Bank of Upper Canada may be protected in passing the Bill relating to that institution now before Parliament.

## INTERCOLONIAL RAILROAD

**Messrs. Sylvain and Bertrand** presented a number of petitions from Rimouski and Temiscouata, praying for the adoption of Major Robinson's route for the Intercolonial Railway.

### PRINTING COMMITTEE REPORT

**Mr. Mackenzie** presented the second report of the Printing Committee. The Committee reported a scheme of distribution of printed documents and audit of the accounts for printing and the report of the Clerk of Committee on the printing service of last session. On the reference to the Committee of the subject of reporting the debates, they reported that it had been decided on a division to defer the question to a further meeting of the Committee.

### ST. LAWRENCE AND OTTAWA RAILWAY COMPANY

**Mr. Crawford (South Leeds)**, in moving the second reading of this Bill, said that the railway would connect the River Ottawa and the Capital of the Dominion with the St. Lawrence at Prescott, a route that was familiar to every member of the House. Discussion had arisen as to what the powers of this Parliament might be regarding Acts of this nature, but he understood that no objection had been taken on any side to the measure itself, which had not, in fact, been as yet before the House. Its preamble, which was a lengthy document, recited various Acts affecting the Ottawa and Prescott Railway Company, which had, like many others in this country, unfortunately fallen into pecuniary difficulties, a Bill having been passed in 1865 to enable its sale to Mr. Robinson, and by order of the Court of Chancery the property and rights of the company were vested in him in trust. It was only sought by the present Bill to vest in the St. Lawrence and Ottawa Company what Mr. Robinson held under this order. It had subsequently become necessary to raise money to put the road in good repair, and a mortgage had been effected upon it for that purpose. It was now proposed to increase the capital to \$1,500,000, and to extend the line across the Ottawa River to Aylmer, which was the promoters only reason for applying to the General Legislature, in the belief that the Local Parliament had no power to grant the authority they sought. An Act might be obtained more easily in the Local Legislature, where undoubtedly there would be no opposition. The promoters possessed an interest of \$800,000 in the property, and had expended upon it fifty thousand pounds sterling, which ought to be the best guarantee for their earnestness and bona fides. The Bill proposed to declare that the railway, connecting the capital of the

Dominion with the Grand Trunk line and uniting the Provinces of Ontario and Quebec, is of public importance to the whole Dominion. The question mainly was whether each measure should not be judged as to its merits on its introduction, which would prevent the General Government hereafter taking into its hands works authorized locally; but which might subsequently be discovered to possess a general importance. Neither the Ontario nor Quebec Parliament could grant authority to cross the River Ottawa. It had been said that this House should not be occupied with questions of such trifling importance which must necessarily take up much of their attention—for example the establishing of a ferry behind these buildings. It was intended to cross the St. Lawrence by ferry to Ogdensburgh, and the narrow gauge had been adopted, so that the cars might be conveyed across and run upon the American line. It may hereafter be considered necessary to set apart a territory for this House to exercise exclusive jurisdiction over, to be taken partly from Quebec and partly from Ontario, after the example of the District of Columbia. The St. Lawrence and Ottawa Railway would cross this territory, with which this Parliament alone could deal.

**Mr. Shanly** seconded the motion.

**Mr. Smith** was of opinion that the matter was altogether one for the consideration of the Local Legislatures, and that it would not be right for this House to interfere to deprive any of the Provinces of their legitimate powers, and that great care and caution should be observed to avoid exciting jealousy and resentment by such interference. The company should first obtain a local Act for their operation within their own Province, and if, by-and-bye, they desired to extend themselves into another Province, it would then be time enough for them to come here to ask for authority to do so.

**Mr. Mackenzie** said that it could be only necessary to consider two clauses of the Bill—those conferring power to cross the river—as it was these only that furnished any grounds for an application to this House. It was remarkable that although the powers for extension were sought for, and the extension itself promised, there was nothing to make this extension obligatory on the company, and the introduction of these clauses seemed merely designed to serve as an excuse for avoiding the proper application to the Ontario Legislature, and coming to a wrong

place instead. There was no statement as to where the Ottawa River was to be crossed, or where the terminus of the line was to be placed, and on these subjects the Bill was altogether too indefinite.

**Hon. Mr. Cartier** held that the intention to make the road on both sides of the river was manifest, but agreed with the honourable member for Lambton (Mr. Mackenzie), that to enable this House to take cognizance of the application, it should be made compulsory on the company to construct the line in both Provinces. Otherwise, the legislation of this House might affect only the first portion of the Bill—the organization of the company—to which it could not properly apply, and would not be valid. There was, however, sufficient ground to warrant the second reading.

**Mr. Crawford**, in reply to Mr. Mackenzie, pointed out that clause 13 stated definitely the place where it was proposed to cross the Ottawa, namely, at or near the Chaudiere Falls. If there can possibly be any case in which a charter should be granted to a public company by this House, the present is such a case. Ontario is powerless; Quebec is powerless; it is only the Dominion which can act in the matter. He had come here to promote, to the best of his ability, the welfare of the country, and he asked, were we to throw obstacles in the way of the expenditure of large and useful sums of money—three quarters of a million in this district—influenced by such captious objections as those of the member for Lambton?

**Mr. Blake** considered the preamble, declaring the undertaking to be of general importance, most worthy of discussion. It was said to be of general importance, as connecting the Provinces, but it only did so by treating the Grand Trunk Line as an appendage, and not of its own resources. The object was in every way praiseworthy, and he would be the last to object to the measure itself. But we were asked to establish a precedent, and to interfere with works now existing in Ontario. It was asked that private parties might, through the mouthpiece of such enactments, declare that local private works are of public importance, and are therefore to be dealt with here. There was strong ground for accepting the correctness of any interpretation which members of the Cabinet might agree on placing upon the Act of Union, because the Act had been framed by themselves, and they should best understand it. But when Ministers were found to differ among them-

selves, the difficulty became serious. We had here the Minister of Justice maintaining that it was sufficient for these Bills to state by preamble that they were of public importance, to bring them within the action of the House, while the Minister for Public Works thought that this House should deal only with Government measures, or at least measures of Government approval, considered by the Government as being for the advantage of the whole Dominion. When the honourable Ministers differed *toto coelo* on a point of so great importance, the sooner we had some declaration of the opinion of the Cabinet the better. What policy did the Government intend to pursue, if the Act be wide enough to allow of the adoption of differing policies on these matters? If it be proposed to interfere—most unwisely interfere—with the authority of the Local Legislatures, the House would reject the preamble. The mere statement that the Ottawa and Prescott Railway Company means to connect itself with the Grand Trunk Railway, was not sufficient to induce the House to such interference. The arguments urged in favour of our consideration of this line might be made equally applicable to the Grand Trunk, and indeed might be made to apply with greater force to almost any other line than to this one. It was incumbent upon the Government to say whether they would have such questions left to the decision of a Railway Committee. Although the power to connect the Provinces might be subject for application here, all other matters of organization—ratification of the sale or increase of capital—should unquestionably come before the Local Houses, and it would be more convenient, and less likely to occasion jealousy, to leave the Local Houses to deal with these points, and then, when such Local Act had been obtained to come here for the additional powers required to cross the Ottawa and to connect the Provinces. Meanwhile we should be relieved from work properly of a local character. If Section 14 meant that the company was absolutely bound to carry on their works in both Provinces, then the objection that it was intended as evasive was valueless, and on the honourable mover's declaration that such was its meaning the objection would of course be abandoned. He suggested that the power to increase the capital of the company should be connected, by the framing of the Bill, with the extension of the line, which alone makes it competent for this House to deal with it.

**Mr. F. Jones** held that there could be no doubt that this railway would be for the benefit of two or more Provinces, and a matter that might be local to-day might be of general importance hereafter. If any work could be considered of public utility this must be so considered. It was for the House to decide, as no one could deny that they had the right to decide, whether it was of general or merely local importance.

**Dr. Parker** did not think that it should be left to the Speaker to decide whether this was a matter to come before the House or otherwise. The Government should say at once whether it is their opinion that this is such a Bill as the House should be asked to legislate upon.

**Hon. Sir John A. Macdonald** said, that two distinct questions arose—first, what was the law, secondly, what might be expedient. There could be no doubt but that under the Union Act such a matter did come under the jurisdiction of this Parliament, and that if the Bill should pass, it would become the law of the land. It was of consequence not to overload this House with business of this nature. This was not the stage for the Government to announce a policy regarding such Bills, each of which must stand upon its own merits. Every Bill showing *prima facie* that its enactments would be for general advantage, should go to Committee, who would be able to arrive at evidence beyond the easy reach of the House. Whether the two clauses so frequently referred to have been introduced merely to evade the law, or with *bona fide* could not be determined by the House, except at great expense of time and trouble. He agreed that all advantages sought for, except those contained in these two clauses, might have been obtained from the Local Parliament, and that the Company might then have come here for such further powers as they required. It would be the duty of any Committee to which the Bill should be referred to look with great jealousy into the constitution, purposes and resources of the Company, and to satisfy themselves that there was sufficient capital to carry out the works they proposed. The present mere statement to that effect could not suffice. Such a measure should properly go to a Railway Committee and be well considered there, and such Committee might be charged to take a review of the whole subject.

**Mr. Shanly** spoke in support of the Bill, arguing that the ferry across the St. Law-

rence proposed by it was of itself sufficient to bring it under the cognizance of the Dominion Parliament.

**Mr. Ferguson** said that any work between or beyond the limits of the Provinces clearly came within jurisdiction of the House. Two Acts might certainly be sought—one in Ontario and the other in Quebec, but only at a very great inconvenience. If the condition be added that the Charter to be now granted shall be forfeited if the extension promised be not carried out within a certain time, he was sure that no one would object to the Charter being granted. (Hear, hear.) Otherwise the House might be imposed upon.

**Mr. Johnson** simply asked was it to be held that the two clauses were integral portions of the Bill. If so, lesser matters would be merged into greater, and minor powers added as of course to those more extensive ones which Local Legislatures could not give. He admitted that there was nothing binding the Company to extend their railway into Lower Canada, and this ought to be remedied. It would be very awkward to be compelled to go to both Local Parliaments, as had been suggested, as the effect of obtaining two such charters would be the creation of two companies, both composed of the same individuals, but as distinct from each other as A is from B. Great difficulties would arise in consequence, and not merely to the company itself, but to any parties having dealings with it, or claims against it, for which it would not be easy to say which branch of it should be made liable. It was not for the Government, but for the Legislature to declare what would be for the advantage of the country, and if such declaration be made, the Act must be binding.

**Hon. Mr. Howe** feared that if the time of the House were to be taken up with such matters as these, honourable members would be unable to return to their homes before Christmas.

**Mr. Pope** held that the proper body to settle questions of this kind was not the Government, but the House itself; and for his part he would not surrender that power into the hands of the executive, although the honourable member for Centre Wellington, who was a steadfast supporter of the Government—(laughter)—might be willing to abide by the decision of the Government.

**Dr. Parker** explained that he had only suggested that the Government should take



the responsibility of expressing an opinion upon such matters, and should then leave them to the decision of the House.

**Mr. Mackenzie** said that the only question was, whether the Act would be for general benefit. A preamble, asserting claims to general utility might be prefixed to any Bill—for the Great Western Railway Company, for example, which would certainly have no right to seek powers here. Even Insurance Companies might come here seeking Acts of Incorporation to enable them to dispense with the authority of the Local Legislatures. Would the honourable gentleman say that the company's proposed bridge and ferry gave them the right to come here for legislation as to its organization. He differed entirely from the statement that we should not look to the Government for a decision in such cases.

**Mr. Dunkin** said the sooner an understanding was come to as to the kinds of measures which it was proper for this House to deal with, and the kinds it was proper for the Local Legislature to deal with, the better for the interests of all parties connected with works of this kind. As it contributed to a settlement of this subject, the discussion which had taken place was not, in his opinion, without its use and value.

**Mr. Smith** said the different Provinces would view with a great deal of jealousy the assumption of power by this House to deal with questions of this kind.

**Mr. Walsh** said that the question was of much importance to that portion of the country from which he had come, where there was a movement on foot to obtain a charter for a proposed railway. The promoters had been of opinion that their application should be made to their Local Legislature, and if it were decided that such opinion were wrong, they had been spending their time and pains uselessly. This railway would have either a bridge or a ferry at each end, and it was of great moment that people should know whether they should come here for such powers or elsewhere.

**Hon. Sir John A. Macdonald** said that the road referred to beginning and ending in Ontario, there could be no difficulty in obtaining a charter from the Ontario Legislature.

**Mr. Crawford** said that unless this Legislature grants the necessary permission, the road cannot be made at all. The house might be perfectly satisfied that there was no pre-

tense or evasion in the application, which would be more easily successful with the Local Parliament, if it were within the power of such Parliament to accede to it. The details as to where the road should be made to cross the Ottawa, etc., should be decided in committee. It would be in the vicinity of the Chaudiere Falls, where the river is not navigable. On behalf of the promoters of the undertaking, he repudiated the idea that the clause had been introduced evasively, and ample evidence would be produced before the committee that the company's intentions were *bona fide*. It was an enterprise which, far from being thwarted, deserved all encouragement, and honourable gentlemen ought to extend the scope of their mental observation, and take a broader and less local view of a subject of such general importance.

**Mr. McDougall** said if the Bill went before the committee, it would become its duty, as well as the duty of the House, to see that no private right were injuriously affected.

The motion was then agreed to.

#### THE EXCISE SERVICE

**Dr. Parker** moved an address for Orders in Council relating to excise duty or service, etc. He said he moved for the returns because the information will, he thought, show that the excise department was administered sometimes oppressively to manufacturers, and so far as appointments are concerned, with negligence and inattention. During the last session, it was stated that the excise service required to be reorganized at the commencement of the recess. A number of Inspectors had been placed over divisions, yet it was doubtful if they had even yet been regularly appointed. Then only an exciseman here and there had been appointed, and to protect the revenue, the collectors had been forced to place parties on their own responsibility in charge of distilleries, where they had remained for months under pay, without any proper appointment. He believed the returns asked for would show that the books and forms supplied to collectors were frequently changed, involving unnecessary expense for printing. Again, under the orders of the Department, manufacturers had been forced to incur large costs in new apparatus. The distillers' licenses expired on the 30th June. About the 20th of that month an order was made that no license to any distillers in Upper Canada should be renewed unless some new and special apparatus was put up before the 1st of July. There was, he be-

lieved, but one machinist in Toronto who could supply the apparatus, and it was at least the 23rd before the distillers could generally receive the notice, and there were not workers and plumbers sufficient in Upper Canada to do the work in one week. Some had corn and grain heating and spoiling; some were under contract, and could not stop their distilleries without loss, and prayed for an extension of time, but this reasonable request was refused, and the order was made peremptory. This he considered most unjust and arbitrary on the part of the Excise Department. The returns asked for, would, he thought, fully bear out these statements.

**Dr. Bown** asked that the returns should be made to include the names of those who had passed examination before the Excise Board, as well as those who had not passed.

**Dr. Parker** had no objection to make this addition to his motion.

**Hon. Mr. Howland** had no objection to the information asked for being furnished.

The motion was carried.

#### LONDON BOARD OF TRADE

**Mr. Carling** moved the second reading of a Bill to render valid certain appointments made by the London Board of Trade, and after some observations from Mr. Blake the Bill was read a second time, and referred to the Committee on Banking and Commerce.

#### RED RIVER

**Mr. Sproat**, seconded by Mr. Hurdon, moved an address for Reports relating to the opening of a line of communication from Fort William to Red River.

**Hon. Mr. McDougall** said that the information would be given in the papers to be brought down to-morrow, and asked the honourable member to withdraw the motion, to which he consented.

**Dr. Parker** moved an address for copies and date of all orders in Council relating to the excise duty or service, etc.—Carried.

**Mr. Anglin**, seconded by Mr. Smith, moved an address for the return showing the entire amounts paid to the several delegates sent to England, in the year 1866, to promote the passage of the Act of Confederation, etc.

[Dr. Parker (Wellington Centre)]

**Hon. Sir John A. Macdonald** had no objection to presenting such a return, and only regretted that the honourable member had not moved an address for a handsome gratuity to the delegates in consideration of their valuable services and long expatriation. (Laughter.) The motion was carried.

**Mr. Harrison** moved for an address for Reports of General Napier and Col. Lowry, as to the campaign at Fort Erie, in June, 1866, etc.

**Hon. Mr. Cartier** said, that the Government could not consent to the motion, as the Generals were not under their control, and the motion dropped.

**Hon. Mr. MacDougall** postponed his resolutions relative to the Incorporation of Rupert's Land and the Northwest Territory till to-morrow.

**Hon. Sir John A. Macdonald** moved that on to-morrow the House go into Committee of the Whole to consider certain resolutions relative to the construction of a railway, connecting the Port of Riviere du Loup, in the Province of Quebec, with the line of railway leading from the City of Halifax, etc.—Carried.

**Mr. Mackenzie**, seconded by Mr. Blake, moved an address for returns of amount of costs paid by the Government, in respect of the Fenian prosecutions, etc.—Carried.

The following Bills were read a third time and passed: for the interpretation and construction of statutes; to authorize the apprehension and detention of such persons as shall be suspected of committing acts of hostility or conspiracy against Her Majesty's person and Government.

The House adjourned at 5:35 p.m.

#### QUESTIONS AND NOTICES OF MOTIONS

**Mr. Ross (Dundas)**—Whether it is the intention of the Government to introduce a Bill this session for the purpose of enacting a fixed rate of interest?

**Hon. Mr. Smith**—Wednesday—Whether it is the intention of the Government to introduce during the present session a measure giving a right of action to persons sustaining injury or damage by the negligence or default of the officers or employees on the Government railway in New Brunswick?

**Hon. Mr. Smith**—Wednesday—What amount of salary is now being paid to each of the Commissioners of the Government Railway in New Brunswick?

**Hon. Mr. Smith**—Wednesday—Whether the Government intend making any change in the mode of management of the Government Railway in New Brunswick?

**Mr. McMillan**—Wednesday—That he will move that the reports of Major Robinson and Sandford Fleming on the Intercolonial Railway be printed in pamphlet form for the use of members of Parliament.

**Hon. Sir John A. Macdonald**—Wednesday—That a Select Committee consisting of Hon. Messrs. Cartier, J. S. Macdonald, McDougall, Dorion, Fisher, Tupper, and Morris, Blanchet, Chamberlain and Mills, be appointed to assist Mr. Speaker in the direction of the Library of Parliament, so far as the interests of this House are concerned, and to act as members of the Joint Committee of both Houses on the Library, and that a message be sent to the Senate to inform their honours thereof.

**Mr. Walsh**—Tuesday—That he will move that the House do resolve itself into Committee of the Whole on Wednesday next to consider the following resolution:—

That in the interest of trade it is expedient to enact that in future American silver be a legal

tender at the rate of eighty cents in the dollar of the nominal value of such coin of every denomination.

**Mr. Keeler**—Wednesday—Whether it is the intention of the Government to submit during the present session any measure upon the law of marriage and divorce, or for the establishment of a Divorce Court?

**Mr. Connell**—Address, etc., for return showing amount received from the Banking Institutions of Canada, as a tax on their circulation for the year ending 15th March, 1867, specifying the average circulation of each, and the amount paid by each Bank respectively in the Provinces of Quebec and Ontario.

**Mr. Connell**—Whether it is the intention of the Government to include in the estimates a sum for the purpose of a geological survey, and if so whether they intend expending any and what portion of that sum in the Province of New Brunswick?

**Mr. Connell**—Whether it is the intention of the Government to include in the estimates any sum of money for the purpose of improving the navigation of the River Saint John, N.B.

**Hon. Mr. Fisher**—Wednesday—Address, etc., for copy of His Excellency's Commission, and of the Royal Instructions which accompanied the same.

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# HOUSE OF COMMONS

Tuesday, December 3, 1867

The Speaker took the Chair at 3 o'clock.

## LOCAL MINISTERS IN THE HOUSE OF COMMONS

**Sir John A. Macdonald** presented a Report from the Committee on Privileges and Elections. The Committee stated that they had considered the references from the House to enquire as to the right of the Hon. J. S. Macdonald, Attorney-General of the Province of Ontario, and the Hon. Christopher Dunkin, Treasurer of the Province of Quebec, to hold seats in the House of Commons, and they begged to report that, in their opinion, these gentlemen had a right to sit and vote in this House.

**Hon. Mr. Holton** enquired whether any evidence was taken by the Committee.

**Sir John A. Macdonald** was understood to say that no evidence was taken by the Committee, except statements by the two gentlemen whose rights to their seats were called in question.

**Hon. Mr. Holton** asked whether the Chairman would move the adoption of the report.

**Sir John A. Macdonald** was understood to give an indelicate answer.

## COMMITTEE ON BANKRUPTCY

**Hon. Mr. Abbott** moved that the quorum of Committee on Bankruptcy and Insolvency be reduced to five members.—Carried.

## HUDSON'S BAY COMPANY

**Hon. Mr. Langevin** brought down returns to addresses for papers, correspondence, etc. relating to the Intercolonial Railway and the Hudson's Bay Company.

## COMMITTEE ARRANGEMENTS

**Hon. Mr. Cartier** moved that Hon. John Rose be added to the public accounts, railways, and banking and commerce committee.—Carried.

**Sir John A. Macdonald** moved to add Mr. Holmes to the Committee on Immigration and Colonization, and Mr. Oliver to the Committee on Private Bills.—Carried.

## THE COMMERCIAL BANK

On motion of **Sir John A. Macdonald** the House went into Committee of the Whole on the Bill to amend the Acts Incorporating the Commercial Bank—Mr. Magill in the Chair.

**Mr. Morris**, in moving the first clause, said there was a very important observation in the preamble of the Bill. It asserted that the Commercial Bank was possessed of assets more than sufficient to pay all its liabilities in full, if such assets were properly realized and applied. The Committee to whom the Bill was referred very properly required proof of this statement. Proof was given entirely satisfactory to the Committee, and he thought it would be satisfactory also to the people of Canada generally. He would now explain the object of the first clause. Under the provisions of the Bank Charter, if a Bank was compelled to suspend specie payments for sixty days, its charter absolutely lapsed. The House would see the perilous position in which the interests of a large body of shareholders would be placed, if, on the 21st day of this month, the charter should be forfeited. This clause, therefore, provided that the charter should not lapse if the suspension of specie payments were removed within ninety days from the passing of this Act. It did not interfere in any way with the rights of creditors. It simply provided that an institution which, since the 10th of October, had liquidated two millions of dollars (\$2,000,000) of its liabilities, should not lose the benefits of its charter, if it was able to return to specie payments within ninety days from the passage of this Act.

The clause was agreed to.

On the third clause.

**Hon. Mr. Cartier** said that, from the evidence given before the Committee, the Commercial Bank was solvent beyond doubt. Since the stoppage, its liabilities have been reduced nearly one half, and there remains due to depositors and note holders something

about two millions of dollars. The Bank proved to the Committee that they had in cash, or its equivalent, upwards of \$300,000; in mortgages, \$115,000; in real estate \$260,000; in good notes receivable upwards of \$2,000,000; and besides they have Detroit and Milwaukee railway bonds amounting to \$1,800,000 which the bank values only at \$900,000, so that the bank's assets amount to upwards of Four Million Dollars (\$4,000,000), while liabilities were only about Two Million Dollars (\$2,000,000). The committee had the fullest evidence of the bank's solvency, and he desired this statement to go to the country so that note holders should not be induced to part with their notes.

**Mr. D. A. McDonald (Glengarry)**, would like to see the evidence placed before the committee published, as it would tend to re-establish a feeling of security.

**Mr. Cartwright** said the Statements had been published in all the leading daily papers.

**Hon. J. S. Macdonald** said, that the shareholders had suffered from the gravest mismanagement, and that the history of the Bank taught a very useful lesson. Legislation would at least be of utility in showing that the House had taken hold of the subject, and were determined to protect the interests of shareholders whenever jeopardized by such practices as those of the management of this Bank. He would like a clear and intelligible statement of its affairs, such as everybody might understand, and not such as were comprehensive only to an ex-Finance Minister. Parliament should legislate for the want of security in such corporations arising from the excessive powers held by Directors. The Bill provided no security whatever beyond that which shareholders and depositors already enjoyed. It was right also that time should have been afforded to those outside the limits of this House to satisfy themselves as to the real position of affairs.

**Hon. Joseph Howe** said that the position of the Bank was that it had not paid its creditors for sixty days, and now asked to be relieved from the obligation to pay them for ninety days more. If a private individual came to them to make application for protection for the non-payment of his debts, they would laugh at him, and the two cases were exactly similar (no, no). It was right that such applications should be examined with the utmost care and deliberation, and although he had no intention to question a

[Mr. Cartier (Montreal East)]

measure which had, doubtless, been already well considered in Committee, he could not refrain from remarking, in connection with the subject, upon a newspaper statement that he had recently seen, to the effect that, not long ago, within a reasonable, or perhaps he should rather say an unreasonable, number of years no less than nine Canadian Banks had failed. The Commercial Bank, in addition to the wildest investments in railways—and he held that Banks had no business whatever to deal in railway bonds—possessed such an enormous amount of bad and doubtful debts—and when a Bank acknowledged its debts to be doubtful they were bad indeed—as provided that its affairs had been conducted with an utter absence of discretion. If, however, it could be shown that, by the passing of this Bill, those in charge of the Bank would be enabled to deal fairly with all parties having interest in its affairs the Bill should be allowed to pass.

**Hon. Mr. Dunkin** said that one remark which had fallen from his honourable friend opposite should not be allowed to pass without notice, namely, the astonishing statement that, within a few years back, nine Canadian Banks have failed. He had been familiar with the affairs of Canada for the last thirty years, and he, as well as many other members of the House, knew perfectly well that such was not the case. It was true that now and then it had happened that Banks doing business in adjoining States, and using the name of Canada without authority, had failed, but within his recollection there had been but two real Canadian Bank failures, of which the Bank of Upper Canada was the first, and the Commercial Bank the second. As to the Bill itself it merely prolonged the life of the Bank for ninety days, and did anybody imagine that letting the Bank die would help its creditors?

**Mr. Pope** agreed with the last speaker that we have not suffered, as had been stated, from numerous such failures in Canada, and had always been proud, and justly proud, of our Banks, but because we had such pride was just the reason why the most searching enquiry should be made into every application of this kind, and special privileges ought not to be lightly granted, to an institution that had cast a shadow of doubt and distrust upon every Bank in the country. If this Bank by speculating in railroads, by going outside the ordinary operations of banking, had lost money, let it go before the country as a special case. With a million of dollars locked

up in railroads, and a million of dollars of doubtful debts, it was of importance that its mismanagement should go out to the country, to the country, which depends in a great measure upon the solvency of its Banking institutions, that its failure was attributable to this exceptional cause. The country would be thus enabled to distinguish between this Bank and other solvent Banks, the bills of all of which will be made to pass as current as gold. (Hear.)

**Mr. Cartwright** rose to explain the cause of this failure, with the more confidence as everybody in the House knew that he held no shares in, or had no connection whatever with, the Bank until after the railway transaction which had been spoken of. And he might here say that he had never seen a Bill examined with half the care and assiduity that this Bill had received at the hands of the committee, who had sat for three or four hours daily through four days, and had required the strictest proof of every statement of the preamble. It was shown that on the 19th October the Bank owed four millions and a half to shareholders and depositors, and that in thirty-five days these liabilities had decreased to less than two millions and a half. Since then a further liquidation of \$100,000 had been made (hear, hear), which affords fair grounds for believing that, if the extension of time be granted, the Bank will be able to settle with every one of its creditors in full. After strict investigation by the committee, it had appeared that the value of assets were \$4,800,000, of which \$1,000,000 is cash, against \$2,000,000 of liabilities. One of the principal causes of failure had been the imprudent advances to the Great Western Railway, and with so large an amount of capital locked up, it had been impossible to ascertain their real position, and to write off all their bad debts. The distrust inspired by the fall of the Bank of Upper Canada had also affected them, but the real and ultimate cause was the measure of legislation which had been inflicted on all banking institutions of the country. A statute more offensive, or more deliberately mischievous, or more calculated to prejudice Upper Canada, it was impossible to conceive. Owing to such injudicious legislation every bank doing business in Upper Canada had lost money there. The Gore Bank had been compelled to reduce its capital from this cause. He appealed to honourable gentlemen, members of the late Parliament of Canada, to say if on all occasions he had not called attention to the work-

ing of these legislative restrictions, and endeavoured to remove them. After he had become President of the Commercial Bank, his attention had been particularly called to the subject, and he found that while it was the pleasure of the Legislature to restrict by one cast iron rule all operations, compelling them to make no distinction between the largest wholesale and the smallest retail customer, but to discount for both on equal terms, banking could not be properly carried on. The bank had become the sleeping partner of two mercantile houses, but, unlike other sleeping partners, had shared all the risk and none of the profits. According to the best scrutiny he had been able to give, so long as they should be compelled to work under this system, forbidding all discretionary distinctions, banking will be liable to such panics. The honourable gentleman then went into an elaborate review of the currency Act, to which he attributed altogether the recent failures, and after tracing the Act through all its workings, suggested that a joint effort should be made by the banks to do away with the receipt of interest bearing deposits liable to withdrawal on short notice. He doubted if any other bank would have been able to pay off half its liabilities if suddenly called upon to meet the strain (hear, hear) of so large a withdrawal of deposits. The last point he wished to notice was the seniority to all the bank creditors. Over and above a capability of paying forty shillings in the pound there is the further security of the double liability of the shareholders, among whom are many men of the most undoubted position in the country. The bank having liquidated nine-tenths of its entire liabilities, it was quite fair to ask for an extension of time to a reasonable period.

**Dr. Parker** referring to the remark that the Currency Act had not been in operation until two months after the suspension of the Bank of Upper Canada, and said discussions upon the working of the Act had previously gone to the country, and it had been stated that it would have the effect of jeopardizing many banking institutions. (Hear, hear.) The Currency Act had, in his opinion, largely contributed to the fall of the Bank of Upper Canada, its effect having been to give undue confidence to the Bank of Montreal, and to withdraw deposits from other banks whose bills were supposed not to be so well secured. If the Bank of Montreal had not stood in this exceptional position, and if the Commercial Bank had received the assistance that it

ought, it would have weathered the storm, but the Bank of Montreal had no interest in sustaining it, not standing on the same footing, while its own bills were guaranteed by the Government. It was a well known principle of loan that the better the security the lower should be the rate, and it was right that banks should discriminate, had not the Government interfered to impose restrictions upon them. He was sure no honourable member desired to asperse the business of Upper Canada as not being conducted on sound principles, and therefore unsafe, and said that the banks whose insolvency had been referred to by the member for Hants, held no position and did little business. It was most unfortunate that assistance had not been given to the Commercial Bank, as would have been done but for the restrictions imposed by Government.

**Mr. Cartwright** explained that he had not said that business in Upper Canada was itself unsound, but that the interference of the Legislature had tended to make it so.

**The Hon. J. S. Macdonald** said that a stigma had been cast broadest upon the Banking institutions of the country. Now was the time to put the saddle on the right horse—now was the time to say had any of the other Banks refused to come to the assistance of the Commercial. It had been stated that the Currency Act was responsible for the fall, both of the Upper Canada and the Commercial Banks. It had been at first proposed to issue bonds of the Province, but the Banks had endeavoured to throw discredit upon these in order to prevent their depositors from withdrawing from themselves to invest with the Government. The consequence was that the bonds were taken up to but a small extent, and the Government was driven back upon the other scheme. The door had not been closed against any Banks, but those who refused to come into the Government scheme; and any others might have come in in the same manner as the Bank of Montreal. Those who had opposed the Government, and had not so come in were responsible for the difficulties that had occurred. The practice of Bank Directors transferring their capital to New York and elsewhere, where some small profit of exchange was to be made, was the true cause of such failures. Banking institutions were authorized for the benefit of the whole community, not that of individual directors. The Bill had been introduced with such unseemly

[Dr. Parker (Wellington Centre)]

haste that even marginal notes had not been supplied. With reference to the power proposed to be given to the directors to make assignment to trustees if no amalgamation should have been effected within three months. He thought that a general meeting of shareholders should be first called and consulted. The history of the Bank of Upper Canada gave ample warning that when the time for winding up came those who had appointed directors should be consulted. The House, as composed of men of honour, should deal with these as with their own private affairs.

**Mr. Cartwright**—On the day previous to suspension the Bank had paid all its balances due in Montreal by means of a loan from the Bank of British North America, and had on the 27th November paid to the Bank of Montreal \$260,000.

**Mr. Gibbs** said that so far as the bank was concerned with which he was connected, it was ready to contribute its quota of whatever sum might be required, in order that the Commercial Bank might maintain its position. Almost every other bank was also willing to do the same. The Bank of Montreal had issued a manifesto and the gentlemen present at the Bank meeting, held at Montreal on the 21st of October, also issued their report; and while on the one hand the Bank of Montreal might seem to be extending assistance necessary to maintain the Commercial in its position, on the other, it was doing that which prevented any arrangement being carried out. Whether that was correct he could not say, as he was not present. He regretted that the President of the Bank, Mr. John Simpson, was not present, and he believed, had he and other gentlemen been present, the Commercial Bank would still be in active existence. He felt warmly attached to the Commercial—being individually indebted to it for whatever position he now occupied. Remembering that, he did feel very much interested in the affairs of the Commercial Bank; but, notwithstanding this, he was inclined to think good had resulted from its suspension. Confidence had been inspired in the financial institutions of the country. With reference to the Bill before the House, he could testify that it underwent careful revision at the hands of the committee. Some important changes had been made in the provision of the Bill, and among these one in



regard to the manner in which the directors should be elected. The modern idea had been adopted of allowing men to be represented according to the amount of stock they held, which he believed a correct principle. (Hear, hear). With reference to the amount of stock which should qualify a man for a director, there were different opinions. He believed the Charter fixed it at \$2,000. That the Bank was not insolvent was shown by the fact that its bills were held at 95. The public believed that it would be successfully carried through, and if this was done the gentlemen in charge would receive the thanks of the country, and would deserve well at the hands of shareholders. He did not think it advisable at present to go into the general subject of banking. The country was anxious with respect to legislation on this subject, and he trusted the Government would lose no time in bringing down their measures bearing on it.

**Mr. Mackenzie** said the President of the Commercial Bank (Mr. Cartwright), had chosen not only to give what he (Mr. Mackenzie) thought wrong reasons for the failure of the Bank, but to enter on a discussion of banking in general and give reasons why a different system of banking should be inaugurated in Canada. He thought the honourable gentleman would have done better to have confined himself to the matter before the House. He had assigned as almost the sole reason for the failure of the Bank the withdrawal of confidence on the part of shareholders. There must have been some reason for the withdrawal of confidence, and he (Mr. Mackenzie), believed it was to be found in the excessively bad management of some years ago. Not less than \$1,800,000 had been advanced in an extremely reckless way to the Detroit and Milwaukee Railroad. As regarded the injury done to the Bank by the restrictive system which was still applied to them but not to other parties, he admitted the fact to some extent, and was prepared to consider favourably the removal of those disabilities when the subject came properly before the House. He must take exception, however, to that being assigned as the cause of the disturbance of commercial operations in the Western Province. He must also take exception to the honourable gentleman's extraordinary statement that Canada was the only country in the civilized world where banks were affected by such restrictive laws. This was quite incorrect, unless the honourable gentleman very much restricted his definition of what constituted the civilized world. As

regarded the issue of Provincial Debentures last year, he believed the whole amount of them would have been taken up if a reasonable time had been allowed. He regarded this Bill as being in the interest of all the parties concerned, and was therefore in favour of its being passed; but he did not think this was the time to discuss the whole banking system of the country, which would very soon come fairly and directly before the House for discussion.

**Mr. Street** thought the subject of banking generally of too large a scope to go into at present, on a private Bill. He believed there could be no objection to granting the Commercial Bank the power of amalgamation sought for. In regard to refusal of the banks to extend assistance, he said the Bank in Hamilton, of which he was President, had received no notice of the meeting or it would gladly have afforded what aid it could. He did not blame the bank legislation of last session for the stoppage of the Commercial Bank, but believed the bankers in the House made a mistake in not accepting the proposition of the Government as it was brought down, and then they would not have been under the control of one institution.

**Hon. Mr. Holton**—Ought not Government to have been wise enough to have resisted the restrictions sought to be imposed on that Bill?

**Hon. Mr. Howland**—Government did not propose to force the Bill; it was permissive in character.

**Mr. Street** believed the influence of the bankers and others would have produced such an impression on the Government as to have induced them not to go on with the measure, but he acknowledged he had erred in judgment.

**Hon. J. H. Cameron** thought when the House knew the cause for such special legislation, it should proceed with the Bill. The Bank had to come to the Legislature because corporations could not avail themselves of the Insolvency Act, like private individuals.

**Mr. Metcalfe** said the Government never really intended that the Provincial Debentures of last year should be taken up. They were a sham and a delusion. At the time the Bill for their issue was brought forward, the legal tender notes were engraved and clerks were engaged in signing them. If a farmer wanted to invest in the debentures he could get no satisfaction. The agents of the Bank of

Montreal would almost refuse to take his money. When the Government gave enlarged powers to the Bank of Montreal, what did it do? It fell on the Government itself and shaved it. Mr. King, the great barber of this mighty shaving institution, compelled the Government to take English exchange at 2 per cent above the current rate, and then he issued his orders to the other banks to give him so much gold or he would destroy them. The Cashier of the Commercial Bank went down on his knees and gave the Bank of Montreal what they asked, \$200,000 in gold for greenbacks. There was no doubt that the late Minister of Finance and the Bank of Montreal were the cause of the failure of the Commercial Bank.

**Hon. Mr. Howland** said the honourable gentleman who had just spoken was entirely wrong as to the course taken by the Government in the issue of debentures. He was wrong as to the provincial notes having been prepared and signed. The Government in consenting to issue debentures, yielded to the express desire of members of this House. The banks themselves all urged it, and the leader of the Opposition at that time particularly declared, if Government would only issue debentures they would get all the money they wanted. It was understood, however, by the House that Government had certain engagements to meet within a given time. Notice was at once given to the parties who desired to invest to deposit their money in the agencies of the Government.

**Mr. Mackenzie**—Of the Montreal Bank.

**Hon. Mr. Howland**—Yes; they were the only agencies of the Government.

**Mr. Mackenzie**—Will the honourable gentleman say that that was furnishing the facilities for getting the debentures which were promised by Government?

**Hon. Mr. Howland**—Yes; he did say that most decidedly, and at points where there were no agencies of the Bank of Montreal, the arrangement with that Bank was that they should employ agencies of the Commercial Bank. The longest possible time that circumstances would admit of was given, but the fact was, that the moment the measure which the representatives of the Banks had urged on the Government was put in force, they at once saw that they had made a mistake, and that the surplus means of the country which they held in the shape of deposits would be taken from them to be

[Mr. Metcalfe (York East)]

invested in debentures. The greatest anxiety was then displayed by the banks to have the issue of debentures closed as soon as possible. As far as the Government was concerned they had carried out in good faith all they had pledged themselves to in that matter.

**Hon. Mr. Holton** said the member for Lennox, (Mr. Cartwright) had asserted that there was no connection whatever between the currency legislation of last session and the embarrassment of the Commercial Bank. He (Mr. Holton) wished to say that he would be no party to importing into a discussion on this private Bill the merits or demerits of the currency Bill, and it must not be understood that the member for Lennox was authorized to speak on behalf of the directors of the Commercial Bank, when he expressed that opinion.

After the Recess,

**Mr. Morris** moved the adoption of the third clause.—Carried.

The remaining clauses of the Bill were then adopted and the Bill was reported as agreed to,

On the motion that the Bill be read a third time to-morrow.

**Hon. Sandfield Macdonald** spoke against hurrying the Bill through in such a rigid manner.

**Hon. Mr. Holton** said he never knew a private Bill to receive so thorough an investigation as this. It was thoroughly considered in committee, and came back last Saturday much changed, and was reprinted. The different clauses had now been read from the Chair, and fixing the third reading for to-morrow was not "hurrying it through." He hoped his honourable friend would be as particular in giving his Government measures as much consideration as he wished given to this.

**Mr. Mackenzie** expressed the hope that his honourable friend from Cornwall, for the sake of the House and country, would enlighten them as much in future as he had to-day, and that he would not shun discussions upon topics more immediately concerning himself and his Government.

**Hon. Sandfield Macdonald** said when they supported a measure they had no objection to record their votes; but on the other side of the House, after using strong arguments, they always backed out before bringing a question to the vote. By thus delaying the business of

the country, they were doing Government good service, by giving them time to prepare their measures. He would always take an independent position, and support Government measures when he thought them right.

**Mr. Mills** did not think it would be a fair expression of the opinion of the House to take a vote when so many members of the Opposition were absent. The honourable member for Cornwall had expressed himself as being in harmony with the Government, and then found fault with the honourable member for Lambton, because he played into the hands of the Government, by obstructing the business of the House. He had intimated his intention of taking an independent course, but he (Mr. Mills) did not think he could do so as his position here might affect his Government at Ontario.

The motion was then adopted.

#### INTERCOLONIAL RAILWAY

On motion of **Sir John**, the House then went into Committee of the Whole on the resolutions respecting the Intercolonial Railway.

In Committee, **Sir John** said it was useless discussing whether the road should be built or not, as that was provided for in terms of the Union Act. In reference to the clause asking for power to raise a further loan of one million, without the Imperial guarantee, it was rendered necessary by the provision of the guarantee Act which requires that the Canadian Government should raise a loan sufficient to complete the road and put it into good working order. It was important that the railway should be built as speedily as possible. Therefore in order to avoid any objection which might arise in England to granting the Imperial guarantee, on account of the small amount additional the Canadian Government had raised, the Government thought it fit to ask for an amount fully sufficient to complete the road, and thus prevent any delay in securing the Imperial guarantee. He would like to see the fullest discussion on these resolutions, but he intended to-morrow to introduce a Bill respecting the railway, and he would ask the House to postpone discussion on the resolutions till then. Resolutions would be incorporated in the Bill, and after it was printed and distributed among members there might be a full discussion on the whole subject.

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**Mr. Anglin** asked what day they might expect the Bill to come up for a second reading.

**Sir John A. Macdonald** replied on Thursday.

The resolutions were then passed one by one without discussion. Report to be received to-morrow.

#### MR. ROSE'S FINANCIAL STATEMENT

**Sir John A. Macdonald** stated that to-morrow the Minister of Finance would make his financial statement, after which the Minister of Public Works would invite the attention of the House to the resolution respecting the Northwest Territory.

**Hon. Mr. Holton** asked if the statement of the Minister of Finance would be given in Committee of Supply.

**Sir John A. Macdonald** believed not.

**Hon. Mr. Holton** said in that case he supposed it was not properly the financial statement which Mr. Rose would make, but a statement of how he proposed to deal with the financial business.

**Sir John A. Macdonald**—The honourable gentleman had stated correctly what was intended. The statement would also include explanations with regard to the tariff.

The House adjourned at half-past eight.

#### NOTICES OF MOTION

**Mr. McCallum**—Enquiry whether it is the intention of Government to reduce or abolish the toll on the bridge across the Grand River at Dunville.

**Mr. Stephenson**—Address for copies of all Orders-in-Council and Correspondence relating to transfer of the Rondeau Harbour, and Public Works therewith connected with the Rondeau and St. Clair Plank Road Company, and the resumption of said harbour and works from said Company, with statement of what was actually paid for said harbour and the time it was in possession of the Company.

**Hon. Mr. Howe**—Enquiry whether any financial statement is to be made before adjournment and whether the tariff is to be submitted and when.

**Mr. Savary**—Address for return of all fines imposed and seizures made in the county of Digby for breaches of the revenue laws since

the 1st day of July last, showing the amount realized from fines imposed and seizures, and how much remitted with reasons therefor, specially all correspondence between the Government and their agents in Nova Scotia on the one hand and owners of the vessel called the 'Union', owned in said county, on the other, relative to the seizure of the said vessel, and of other property, and the imposition of a fine upon the said owners for violating said revenue laws.

**Mr. Morris**—Addresses for copies of maps furnished to the Government of the late Province of Canada by the Hudson's Bay Company, and showing respectively the territory now claimed by that Company, and the portion of land claimed by them which the Company proposed to surrender to the Crown.

**Mr. Thompson**—Enquiry whether the Government intend to continue the office of Queen's Printer, or propose taking any steps to introduce something more economical instead.

**Mr. Thompson**—Enquiry whether the Government intend to re-establish a Customs House at Caledonia.

**Mr. Thompson**—Address for return of all moneys paid to the Indian Department by Superintendent Gilkinson, of the Six Nations Indians, during the last four years; also, amount of dues for lumber and license fees collected from Indians and white people.

**Mr. Thompson**—Address for return of present Indian populations of the Indian Reserves in each of the Townships of Oneida and Tuscarora, on Grand River; the number of acres occupied and cultivated in each Township by said Indians.

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{Mr. Savary (Digby)}

## HOUSE OF COMMONS

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Wednesday, December 4, 1867

The Speaker took the Chair at three o'clock.

### CANADIAN INLAND NAVIGATION COMPANY

Hon. Mr. Holton presented a report from the Committee on Banking and Commerce, reporting the Bill to amend the Acts incorporating the Canadian Inland Steam Navigation Company, with several amendments.

### BANK OF UPPER CANADA

Mr. Mackenzie presented the petition of Timothy Lloyd and other shareholders of the Bank of Upper Canada, praying for certain amendments to the Bill now before the House.

### INTERCOLONIAL RAILROAD ROUTE

Dr. Tupper presented a petition from the inhabitants of the County of Cumberland, relative to the route of the Intercolonial Railway.

### REPORTING THE DEBATES

Mr. Mackenzie, in submitting the fourth report of the Printing Committee, which treated of the subject of an official report of the debates, explained the nature of what the Committee considered was the only available scheme for having such a report. They recommended that arrangements be made with the reporters on the same terms as applied to the official report of the Confederation debates in 1865, and that the offer of Messrs. Hunter & Rose to print the debates on the same terms as the other printing of the House, be accepted. They proposed that the report for both Houses should average 14 columns, equal to those of THE GLOBE or LEADER per day, and that the printers should furnish 2,000 copies daily in quarto form, and 500 bound copies at the end of the session in octavo form. The maximum expense for a session of 12 weeks, if the speeches were printed only in the language in which delivered, would be \$7,801; if pub-

lished in both languages—the French speeches being translated into English, and the English into French—the additional expense would be \$4,218, making a total maximum expense of about \$12,000. Thirty-six hours would be allowed between the first publication and the transference of the matter into book form, to allow members to make verbal corrections in the reports of their speeches. He stated he would move the adoption of the report to-morrow.

Sir J. A. Macdonald objected to that feature of the scheme which allowed members to revise their speeches, and suggested that, as in the case of Hansard, there should be a responsible editor who would see that there was no garbling of the reports.

Mr. D. A. McDonald feared that such a report would be the occasion of long speeches, instancing the occasion of a similar report being made of the debates relative to Confederation at Quebec as being the cause of speeches lasting for two days. He hoped that some check would be put upon those gentlemen who are eternally on their legs. (Laughter.)

Mr. F. Jones believed that the country did not feel very deeply on the subject, and was not extremely anxious for such a report as had been suggested. The reporters for the different newspapers gave the substance of all speeches fairly, although they did not always report his own at the length he considered they merited, (laughter). Most honourable members, however, set a much higher value upon their own efforts than was set upon them by the country, (much laughter.) With all the heavy expenses of the Intercolonial Railway, and the Northwestern extensions to be provided for, he, as an independent member, was not prepared to vote \$12,000 for such a purpose, and would record his vote against it whenever it might come up. (Hear, hear.) According to the proposal the fourteen columns might be filled say at nine o'clock, and when he, or any other member, rose to deliver a most able speech (laughter,) after that hour, there would be no space for him. Any honourable member fond of talking might take the whole fourteen

columns to himself. It was a monstrous proposition. (Much laughter.)

**Mr. Dufresne** held that the best possible safeguard against long speeches would be absolute verbatim reporting (laughter.).

After some further discussion between Messrs. Cartwright, Mackenzie, and Bodwell, the latter remarking that even already every member was desirous of being heard, the subject dropped.

**Mr. Walsh** moved a resolution declaring it expedient that American silver be a legal tender at the rate of 80 cents on the dollar. He remarked that the quantity of American silver introduced into Western Canada has become a serious grievance. Since he had put his resolution on paper, he had learned that the merchants of New Brunswick had, irrespective of the action of Parliament, taken steps to secure the same object which this motion sought. They had agreed to take American silver only at 80 cents on the dollar. The result was to drive out of circulation American silver, and no inconvenience had been experienced since that time. He was aware that this subject belonged peculiarly to the Government. He had desired before bringing up his motion to consult with the Finance Minister. However, he had failed to find that gentleman, and thought it no harm to bring the matter before the House, and direct the attention of government to it. It was needless to give any lengthened remarks to the subject, he would simply leave the motion in the hands of the House.

**Hon. Mr. Rose** hoped his honourable friend would withdraw his motion. The question was one with which Government must deal, and Government alone. The whole question of the currency was engaging the earnest attention of the Government, and they were prepared to deal with the question of American silver as well as other questions of currency. With this assurance he hoped his honourable friend would withdraw his motion.

**Mr. Walsh** could scarcely expect the question to be dealt with during this part of the session. It would be useless for him, considering the strength of the Government to press his motion. However, he felt it was his duty to impress upon Government the necessity of dealing as early as possible with this question,

[Mr. F. Jones (Leeds North and Grenville North)]

and seeing that Government had pledged themselves to deal with the question he would withdraw his motion.

**Mr. McDonald (Glengarry)**, thought a measure of this kind would not have the desired effect. The only way to get rid of the grievance was to prevent American silver from being used and drive it out of the country altogether.

The motion was then withdrawn.

#### RATE OF INTEREST

In reply to Mr. J. S. Ross

**Hon. Mr. Rose** stated that the whole question as to the rate of interest on money was now under the consideration of the Government.

#### THE BRUNSWICK RAILWAY

In reply to **Hon. Mr. Smith**.

**Sir John A. Macdonald** said that the question of the right of action to persons sustaining injury, or damage, by the negligence or default of the officers of the Government railway in New Brunswick would be looked into immediately in connection with the changed relations of that railway in consequence of this Union.

#### GEOLOGICAL SURVEY

In reply to **Hon. Mr. Connell**,

**Hon. Mr. Rose** stated it was the intention of the Government to include in the estimates a sum for the purpose of a Geological Survey, and portions of it would be spent in the Provinces of Nova Scotia and New Brunswick.

#### LIBRARY COMMITTEE

**Sir John A. Macdonald** moved the appointment of a Select Committee to assist Mr. Speaker in the direction of the Library of Parliament, so far as the interests of this House are concerned, to consist of Messrs. Cartier, J. S. McDonald, MacDougall, Dorion, Fisher, Smith, Tupper, Morris, Blanchet, Chamberlain, Mills and the mover. Carried.

#### NEWSPAPER POSTAGE REVENUE

**Hon. Mr. Connell** moved for a return showing the amount received by the Post Office Department for postage on newspapers for the financial year ending 30th June, 1867. Carried.

### TAX ON BANK CIRCULATION

**Hon. Mr. Connell** moved for a return, showing the amount received from the Banking Institutions of Canada as a tax on their circulation, etc. Carried.

### BOUNDARIES OF UPPER CANADA

**Mr. Masson** moved an address for information with regard to the sums paid, etc. in effecting the final settlement of the boundary lines between the late Province of Upper Canada and Lower Canada.

**Hon. J. S. Macdonald** said it would be a work of months to compile the documents relating to all the lots of land affected by the boundary lines. All that was necessary was the documents respecting unsettled claims.

**Mr. Dufresne** said a great many landholders had never been paid for damages they had sustained. Some parties had received payments for damages on land which did not belong to them. The object of the motion was to obtain necessary documents, so that parties complaining might obtain redress in a court of justice.

**Hon. J. S. Macdonald** submitted that the mover of the motion was taking the wrong course to secure his object. If any parties had not received compensation for damages, they ought to petition the House for redress, and a committee could then be granted who could ask for the documents relating only to the parties aggrieved. But the mover of the motion asked for returns of those who have been paid as well as those who have not.

**Mr. Dufresne** maintained that it was only in a court of justice that redress could be obtained. The object of the motion was to find out who really had titles along the boundary, so that their claims could be settled by the courts.

**Hon. Mr. Cartier** said the Government had no objection to this motion. At the same time, the honourable mover could not expect from the Dominion Government the papers they did not possess. The Commissioner of Crown Lands of the former Province of Canada was the person who had charge of this matter, and as that department was now in the hands of the Local Government the mover would have to apply to the Government of Quebec or Ontario, as the case might be. The motion was agreed to.

### THE FINANCIAL STATEMENT

**Hon. Mr. Rose** said before the House went into the consideration of the order of the day, he desired to offer a few remarks. He was most anxious at the earliest possible moment to address the House on the financial condition of the Dominion. That, however, could not be done with due regard to the convenience of members till there had been brought down certain returns that were now in a state of preparation. It was, of course, desirable that the House should be in possession not only of a statement showing the revenue and expenditure of the old Province of Canada from 30th June, 1866, till 30th June 1867, but also a statement showing the income and expenditure of the Dominion from 1st July last up to the present day. The officers of the department had been engaged for some time in the preparation of these statements, and they were now nearly ready to be laid before the House. They would show the amount of revenue and expenditure of the Dominion from 1st July last to 30th November. He had hoped to be able to go on with his financial statement to-morrow, but the necessity of members having possession of the statement he had referred to rendered a postponement advisable. He would, therefore, ask the House to meet on Saturday. The documents would be printed and distributed on Friday night, or early on Saturday morning, and if the House would meet at 2 o'clock he would be prepared to make a statement of the financial condition of the country. The Government also would then be prepared to bring down their measures affecting Custom duties and internal revenue.

**Hon. Mr. Holton** had no objection to meeting on Saturday, as he and gentlemen in opposition were anxious for the House to close as early as possible; but some preliminary steps had to be taken before the House could go into Committee of the Whole on the tariff. If on Saturday the honourable gentleman merely made his financial statement and took a vote of supply, next week would be well advanced before, under the rules of the House, he could proceed with his tariff measure.

**Hon. Mr. Rose** said regular notice would be given to enable the House to go into Committee of Ways and Means. All the formal proceedings necessary to be taken by the Minister of Customs and Excise would be taken.

**Hon. Mr. Holton** would like to know of the honourable gentleman if he intended to bring down the estimates on Saturday.

**Hon. Mr. Rose** said it would be impossible to bring down the estimates on that day, but the fullest information possible would be given.

**Hon. Mr. Holton** said he took it for granted that in the statement the honourable gentleman had referred to as in the course of preparation, the policy of the Government in reference to increasing the number of departments, and dividing the duties of the old departments, would be fairly laid before the House. He would like to ask if such was the case.

**Hon. Sir J. A. Macdonald** could not accept the honourable member's injunction as to what they should do, but would take that course which was in their own opinion the proper one, and which they believed would be entirely satisfactory to the House. The honourable Premier, in reply to Mr. Holton, who complained that he had flung defiance across the House, further begged to assure the honourable member for Chateauguay that he had no intention of speaking otherwise than with the utmost courtesy, and had far too high an opinion of his honourable friend's prowess to defy him lightly. He would much prefer to lead him (a laugh), and would always rather take him in flank than in front. (Laughter.)

#### INCORPORATION OF RUPERT'S LAND, ETC.

**Hon. Mr. McDougall**, in rising to move the resolutions of which he had given notice, was not without apprehension that he should fail to put the House in possession of a proper idea on a subject of so great magnitude and importance. It would not be necessary to inform them that since the close of the American war the Union of the British people inhabiting the northern portion of North America had been ardently looked to by all British statesmen. The dream of the patriot and the speculation of the political philosopher had been of the destiny that should unite these British people in one nationality from one ocean to the other. In 1864, compelled by the logic of events, which moved faster than the patriot's dream or the philosopher's speculation, representatives of these Provinces had met in Quebec to consider what was necessary to be done for their own protection and security, with consideration to

the novel events transpiring on this continent. The result of their deliberations had been the proposal of a scheme of Union which had the consent of the Imperial Government, and had been laid before, and ratified by, the Imperial Legislature, and had now become the law of the land. Among the many important provisions their Act contained was one conferring power to unite all territory north of the 49th parallel acknowledging English rule into one Dominion. The first resolution, which asserts that it would be for the general advantage of the Dominion that its authority should be extended westward to the Pacific Ocean was, he imagined, one which was not likely to provoke question or discussion, and on which it would not be necessary for him to dwell, or to enter upon much argument to demonstrate. Regarding the second resolution, referring to the colonisation of the lands watered by the Saskatchewan and Assiniboine, an opinion had got about that this great Northwest Territory, occupied by the Hudson's Bay Company, was not adapted for cultivation or civilization, and was only suited to the trading purposes which the company had made it serve. But the authority of the most reliable explorers, among whom Capt. Palliser, who had been employed to make his survey by the Imperial Government, was especially worthy of credence, during the last ten or fifteen years had established that the territory contains a great interior basin which, though lying geographically far to the north, was well adapted to the production of grain, and possessed a climate quite equal to that of the locality where they were then assembled. He himself had consulted numbers of these authorities, and marked many of their passages, but would not occupy the House at great length in quoting from them. He would, however, make brief reference to the statements of Capt. Palliser, an able British officer, who had been charged to explore the Rocky Mountains, to discover a pass over which a railroad could be run, and to examine the country along the south branch of the Saskatchewan to ascertain if it were fit for settlement, if it were a mere arid plain, or a tract of arable land fit for the residence of man. Capt. Palliser had been successful in finding, along the skirts of the Rocky Mountains, such a country, of which he had made a thorough exploration. It was the opinion of gentlemen from the eastern districts that the north western climate was so severe, and the summer there so short, as to make it impossible to grow those productions necessary for the sustenance of man. He



would read from Captain Palliser what that officer reported upon this subject. The honourable member here read at some length, from the volume referred to, in which the soil, the minerals, and the climate of the district are very favourably spoken of. That was a fair statement of the capabilities of the great region, which it was proposed to ask the Imperial Government to hand over to the Dominion. There was already a population of ten thousand persons in the Valley of the Red River, engaged in the arts of husbandry and in hunting, which was sufficient evidence that commercial advantages could not fail to flow from the extension of the Dominion in their direction. There had been an Imperial intention at one period of establishing a colony there, which would have embraced an area of 240,000 square miles, the greatest part of which was fit for cultivation. It was impossible for the Hudson's Bay Company to provide a government to meet the requirements of a colony whose commercial interests would be in opposition to their own, although they had been able to govern Indians successfully, and there could be no expectation that extended settlements would be made in this direction until some change had been effected. Indeed, the Hudson's Bay Company were themselves convinced that their sway was near its termination, and had not of late been very particular in the performance of their duties. The fourth resolution referred to the clause of our Union Act, under which this annexation was to be effected. It was provided that nothing more should be required to transfer to us the rights held to-day over the whole of this territory by the Imperial Government, than the assent of an Order-in-Council to an address from our own Legislature. We shall hold this territory subject to settlement of all just claims which may be advanced to any portion of it, and the question of the claims of the Hudson's Bay Company, who assert territorial rights under a charter granted them in 1670 by a king of England, will necessarily engage attention. The Government of Canada has at no time admitted the claim which the company advance over the whole tract between our boundary and the Rocky Mountains; the Government of Canada has at no time admitted the validity of the charter. The Company is, however, an established fact, having houses, servants, and ships, engaged in trade over the whole territory assuming to exercise government there, and holding what assumes to be sufficient authority for the rights to which they pretend, and the subject of their rights is not

one which can be decided without hearing both sides of the question, upon which he did not propose to express the opinion of the Government, although he might say for himself that the right assumed to trade exclusively be regarded as no right at all. The Company, claiming under their charter whatever rights that it might give them, could only fairly pretend to have authority over Rupert's Land, as the district immediately round the Hudson's Bay was called. They could have no pretension to the basin of Lake Winnipeg, or the Valley of the Saskatchewan, because a charter of King Charles could not assume to grant them rights over a country at that date in the possession of the subjects of another prince. He had lately seen, when visiting Paris at the time of the Exhibition, maps and documents which left no doubt but that the North West Territory was in the hands of the French at the date of the Company's charter. It was not, however, intended to ask the Legislature to pronounce a decision upon this question. If the Company are able to prove that their charter is valid for some purpose, all that will be necessary is to agree with them upon the conditions on which their rights shall be transferred. The Company have been themselves anxious for such a transfer at a proper rate of compensation, and in 1865 there had been a discussion upon the subject, between them and gentlemen representing Canada, and it had been reported that the best arrangement would be to pay a specific sum for the relinquishment of the whole of the company's pretensions, and that this amount, whatever it might be, should be obtained under the guarantee of the Imperial Government. But, while this guarantee was agreed to, doubt had been thrown upon the Company's right to compensation at all, and it had been claimed, and was now claimed, and would be further claimed for Canada, that such rights could not be maintained. But, at the same time, it would not be in accordance with our conception of the principles of honour and honesty, to treat the pretensions to such rights as having no existence. The effect of the anticipated transfer would be to give this Parliament authority to make laws for the whole region, to go into the basin of Lake Winnipeg as part and parcel of Canada, assuming the Company to be only squatters there, having their remedy in a court of law if dispossessed wrongfully. The Seventh Resolution referred to the Indian inhabitants, of whom there were large numbers, though not so large as formerly, scattered over the

whole territory. It had been the practice of our Government to recognize some rights as belonging to the aborigines of the country, making treaties with them, and giving them compensation for their lands—dealing with them in a measure as with minors incapable of the management of their own affairs, but always acting generously towards them. The Company had never pretended to extinguish these aboriginal rights which had preceded theirs. A settlement must be come to with the Indians for the sake of the protection of the Colonists. He was glad to say that in Canada we had no difficulty in dealing with Indians, which was experienced in the United States, and the reason was that we had acted justly towards them, and desired to continue to do so. The proposed annexation was a matter which every member who had given attention to public affairs must have well considered. The Government, believing it to be one of very great importance, had thought themselves justified in appropriating a sum of money in opening a road from Long Bay to Lake Superior towards the Red River, the expense of which, though entirely within the Province of Ontario, might, in view of its general advantage, be made chargeable to the Dominion, and would be found to have been well expended towards promoting the progress of the settlement. Important discoveries of silver mines had already resulted, and American companies were even now established there. He had been assured that if the Government were to offer lands on easy terms along the route a large portion would be taken up readily.

#### AFTER RECESS

**Hon. Mr. McDougall** continued the debate, stating that in pursuance of the principle of Confederation, an appropriation had been made toward a road, intended to connect Lake Superior with the Red River. The reports of those employed were good, both as to the practicability of the route and the nature of the country, and he had no doubt but £100,000 would complete the road to Fort Garry. It was, of course, the first question whether the House would consent to, and desired the acquisition of the Red River and the Northwestern Territory. It would certainly involve a considerable expenditure, but he believed it would not be long before it would be self-sustaining. Already the people of the Red River had proposed to make one hundred miles of the road to connect them with Lake Superior; and beyond the Red

[Mr. McDougall (Lanark North)]

River there were no difficulties in the way of making roads, the country being admirable for that purpose, and what was of still more importance, it was most desirable for settlement. The object of Captain Palliser in his explorations was to find a pass for a road through the Rocky Mountains, and he has found two or more. Mr. Waddington, a gentleman now in Ottawa, whom he had not met, had hoped soon to have the honour of doing so, had projected a road in that part of the territory. He (Mr. McDl.) looked forward to the time when the whole expanse from the Atlantic to the Pacific would be peopled with a race the same as ourselves, enjoying the same political rights, and moving forward to the same destiny. At first a good wagon road would answer the purpose, and that at least was perfectly practicable, but a more speedy mode of communication might be necessary in a few years. All the great rivers traversed the shortest route across this continent in the track of this territory, which in many of its parts had been found to be the best grain growing region in the world. He referred to the report of an American gentleman, named Taylor, who had given excellent descriptions, not only of American, but also of British territory, in the latter of which he had computed that there were 300,000 square miles of fertile lands only awaiting the hand of civilization to make it productive and wealthy. It might be asked, admitting all the good that would ultimately flow from the acquisition of this territory, was it prudent to embark in the enterprise now, or were we prepared to bear the burden of expense? There were several reasons why we should act, and act promptly. The inhabitants were without Government, and the Americans were fast pushing their way up to the British frontier. If those who were calling upon us for protection and assistance found that no attention was paid to them, they must look elsewhere, and there were already movements on foot in that direction. If we would counteract such influences we must do our duty. There the position of the Hudson's Bay Company was such that it must be decided at once, by the very terms of the Act of Confederation it had become unsettled. The great idea of that Act was, that we should form one people from east to west—a new nationality side by side with the Republic, which was our only safe and true policy. All the relations between Great Britain and these colonies had been changed by the great war in the United States, and it was the opinion of the statesmen of the Mother Country that

we must reconstruct, and in doing so, we must bear some burdens to provide an increase of population with our own instincts, and to whom we could offer the rights and privileges enjoyed in the Mother Country. With this idea the Government had resolved to ask Great Britain to hand over to us the sovereignty of the northwest territory. Referring to one resolution, he said that it might be said that the Government might enter into negotiations for this purpose without the consent of Parliament, but he could assure them that there was no such intention, and he was prepared to consent to any modification of the language of the resolution in that respect. The burdens of this enterprise would fall upon the whole people, and might be onerous at least for a time. Still it was a duty we owed to our country, to those who were demanding our assistance—and he felt in urging it, he would be supported by the House and by the country.

**Mr. Bodwell** agreed in the main with the resolutions. He conceived the wording of them gave the Government power to deal with the Hudson's Bay Company, and he was happy to hear the honourable gentleman say that he was willing to so amend them as to obviate an inference that that Company had any claim to the territory. Common sense seemed to indicate that they had no legal right, and he referred to authorities with the object of showing that the charter of the Hudson's Bay Company being granted by Charles II without the consent of Parliament, was therefore void. The boundaries were very uncertain, and the claim now set up by the company included a much larger territory than the charter contemplated. He not only considered the charter illegal, but that the Company had failed to carry out the objects contemplated. They did not seek to open up a north-west passage, nor to send missionaries to the Indians—on the contrary, they had persecuted them—and the whole course of the Company was opposed to the settlement of the country. He referred to various opinions as to the fertility of the country, quoting from evidence taken by the House of Commons which, though it should be received with caution, showed the country was valuable for settlement, both for agricultural and mineral resources and fisheries. But we could not conceal from ourselves that great obstacles presented themselves to opening up the territory, and that the natural line of communication was from the States. But he believed once communication was opened, the country would rapidly become settled, and it

was capable of sustaining 30 millions of people; and in view of this the difficulties in the way seemed of small consideration. He believed if we were ever to assume the dignity of a nationality to which we aspired, we must now step in before the States obtained even an apparent claim to this vast territory. He felt quite willing to endorse the resolutions before the House, with the exception of the 6th, to which he had referred, and which the Commissioner of Public Works had pledged himself to alter, so as to meet the wishes of the House. He felt there was a necessity for immediate action somewhere. He thought it should come from the British Government in the first instance; but if they would not assume the responsibility of removing the monopoly which they had created, we must take it ourselves, if we were to build up a great nation under British institutions on the American continent.

**Hon. Mr. Howe** said this was a great question, and he must ask the House to indulge him while he explained the views he entertained upon it. In his former address to this House his theme was his own country, her complaints and her wrongs, and although he might have trespassed upon the patience of honourable members, he would have been recreant to the people of his own Province if he had failed to raise his voice in protestation against those wrongs. On this occasion, he would try to forget that he was a Nova Scotian—try to think himself a Canadian, and deal with this great question from a Canadian point of view. He would say at the outset that it was a matter of indifference to him whether the Government should be turned out of office to-morrow, and as to the Minister of Public Works to whose speech he would call attention, he had nothing personally but the highest opinion of the honourable gentleman's talents and abilities. The House would understand, therefore, that he would approach the consideration of the subject in no spirit of hostility either to the Government or the Minister of Public Works. This was, as he had said, a question of great moment. Whether we should spend a million or two, more or less, was a matter of small consequences compared with this question—whether we should expand our frontier more than a thousand miles and attach to ourselves a country which might possibly involve us in war and untold expenditures. The Minister of Public Works had told the House that the idea of uniting that country to these Provinces had been a favourite idea with the people for many years. So it was. No

man doubted it—it had been a favourite dream of his connected with a railway which should extend from the Atlantic to the Pacific; but the “philosopher’s stone” was a favourite idea, and so was “perpetual motion”, both of which were abandoned because they did not happen to turn out realities. He had been awakened from his dream after careful investigation had shown to him that even if it were possible to transport tea or other eastern products to England by way of Vancouver’s Island and overland rail carriage to Halifax, it would involve a cost so much larger than that of the present mode as to make the route practically useless. It was by such facts flowing into his mind that he was cured of his dreams, and formed a new judgment in regard to this subject. He agreed with all that had been said by the honourable gentleman opposite as to the fertile and valuable character of the North-West country, and he agreed, moreover, that the Hudson’s Bay Company was effete and truly incapable of governing or developing the resources of that interesting country. While he could corroborate all that had been said on these points, he could agree also with the honourable gentleman that the Crown would approve of these resolutions, and that the Imperial Government were anxious that we should step into their shoes in regard to that country. Not a doubt of it. But that was exactly the turning point of the matter, and what we would not do. To step into their shoes was more than they had a right either to ask or expect. When a boy stepped into a man’s shoes there was danger that before going very far he would stumble and lose his shoes altogether. (Laughter.) He wished very sincerely that before this question had been brought up for discussion, the Government had brought down their financial scheme. If the rumours which circulated were correct, he feared that the Finance Minister, when he made his statement, would be obliged to acknowledge a deficiency of four or five millions. If that were near the truth, it would be enough to cause this assembly to pause before taking the steps suggested by these resolutions. He calculated that taking into account the present debt of the Provinces and demands impending upon them for the Intercolonial Railway, for defence, and so on, we had a total burden upon our shoulders of one hundred and nineteen millions, which, as Tristram Shandy would say, was a serious sum. (Laughter). He puts it, whether in view of such a state of things, it was not wise to pause until at any rate we were in a position

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to defy that *bête noire* of Canada, Mr. King of the Bank of Montreal—to pause until we were in such a condition that we need not, as Canada did last year, go begging for two or three millions from unwilling London agents—to pause until this country was in a condition to hold up its head, and not go on its knees begging for favours in the money market. He did not believe any gigantic ideas as to the future extent of country should induce us to go into this scheme. The frog made himself ridiculous when he attempted to blow himself out to the dimensions of the ox, and without comparing Canada to a frog, he would say we would all be frogs if we endeavoured to carry out this project, and there would be plenty of croaking at the expense if it were done, and no end of trouble for us all. There was another thing that ought to make the men of Canada—and, for the time, he would consider himself a Canadian—pause, and that was the large sums now paid in taxation for local purposes, being 8.60 per cent higher than what was paid for the same purposes in Nova Scotia. Take it all in all, the weight of taxation in this country ought to make every honest legislator pause before going further. To endeavour to enlarge our territory under these circumstances would be like that man who, unable to maintain a fence around one farm, and prevent depredation, should seek to obtain more farms. What would be thought of Belgium or Switzerland should they, with their present population and resources take upon themselves the government and defences of large portions of contiguous countries in Europe? Would not any wise man say that they would sacrifice their national independence, for the sake of gratifying foolish vanity. The Minister of Public Works said so tempting an opportunity of acquiring this territory should not be neglected; but did we not pray every day to be kept out of temptation, and he hoped the honourable gentleman would not forget that prayer to-night. (Laughter). He (Mr. Howe) did not believe in playing the game of England, by slipping into her shoes at the outset of this Union, for he had come to the conclusion that English statesmen were over anxious to get rid of us, and looked upon Confederation as a stepping-stone to independence or annexation. He then proceeded to discuss the Government of the North-West Territory by the Hudson’s Bay Company, arguing that monopoly should have been abolished along with slavery, the penal laws, and other abuses. There was just as wide a field for the labour of philanthropists

in that country as ever existed in the slave States of the South or the plantations of the West Indies; for the unfortunate people of that country were under as complete thralldom to the Company as negro slaves ever were to their masters. What progress were the Indians making under the rule of the Company? There was not a man of these Indians could get a grant of land, a pound of lead or powder, but from this Company. Their very existence depended upon the Company. The consequence was, they had grown rich and fat by possession of the monopoly of the consumption of a large class of Her Majesty's subjects. It was time that the monopoly ceased; but this company had been wise in its generation, and their influence in England is greater than the whole five Provinces put together. Honourable gentlemen had referred to the conduct of Mrs. Lincoln in the neighbouring Republic, in justification of the Governor-General's large salary. It was necessary they said to prevent the possibility of such scandalous proceedings by giving the Governor a large salary. He would ask them to look at the long list of Presidents, from Washington down, noble men, and say whether any man was ever heard to breathe the breath of slander against these men, or charge them with pecuniary speculation. But what have we seen in Canada? We find a certain Governor-General advancing and subscribing to certain doctrines in reference to the Hudson Bay Company, then returning to England and accepting a position in that company at two or three thousand a year, and denying and denouncing the very doctrines which he as Governor-General had proclaimed. He gave this instance to show that the highest salary in the world would not make a man faithful to his duty nor endow him with integrity or uprightness if God Almighty had not endowed him with these qualities. Look at the diplomacy of England. No man was fonder of England than he. He drew his blood from her stock, replenished his mind with her history; his associations had lived in her atmosphere; he loved the soil upon which the old monuments of industry of his forefathers rested, but he now looked in vain upon that country for a man with the qualities of a statesman such as Chatham had, who would be able to bind this great country together and make it what it ought to be. They had not such a man, and we were asked to go stumbling, blundering on at haphazard to cover up the blunders of English statesmen. No one could look at the stupid diplomacy in relation to

the Maine boundary without feeling disgust at the result. There was a general impression in England among the higher and educated, and he was sorry to say even among the literary classes, that a good deal of North America—to use words he had heard a noble lord answer to a question of the poet Rogers—was not of more value than a black beetle. He held that England had as deep an interest in the safety of this Province, as we had in England's safety. Few people in England would agree with that opinion. A Scotchman in Edinburgh, being in the garret on the tenth storey, with but one window, could not be made to believe that the Premier of Ontario, or the Premier of the Dominion, was as good a Scotchman as himself. Talk to him as much as you please of Hon. Macdonalds and Hon. Macnabs; they were, in his opinion, only colonists. The same feeling exists in England. They forget that our ancestors helped to make their country what it is—that they fought the old battles and cultivated the old soil. He believed in his heart that when England lost her North American possessions she would lose the finest nursery for her seamen she has, except her own coast. (Hear, hear). It was almost worth war to preserve her territorial rights on this continent, if only for their fishing grounds. There were now only sixty thousand fishermen in these Provinces, and yet to preserve this territorial right, England would not fire a shot. What was the present state of that fishing question? If a Nova Scotia fisherman imports a thousand barrels of fish into the States, he pays \$2,000 duty, while an American fisherman by paying a paltry license—which half the time he did not pay at all—comes to our coasts, catches our fish, and makes \$2,000 more on a thousand barrels of fish than Nova Scotians could. This made trade with New England in fish so far as Nova Scotia was concerned comparatively valueless. The time had come for speaking out on all these questions. If we are to take upon ourselves national obligations and national liabilities we should be treated like a nation. He next referred to the annexation of Russian America to the States, and complained that no remonstrance had been made by England. He could not help thinking that Britain had lost her chance. She spent large sums to preserve the balance of power in Europe. When America was convulsed with civil war, the Emperor of the French wanted England to strike in and divide that country into two parts, but England refused and lost her chance. With that coun-

try divided into two parts—with Mexico a strong power in the South, and ourselves in the North, and two great European powers interested in preserving the balance of power on this continent we might have held our own. But that opportunity was lost. He thought that with the question of defence and other important questions the Ministry had to consider, there was quite enough to occupy their time during this and the next session. He would not occupy the time of the House longer. He had not expected to speak on this subject till to-morrow. Before the debate closed, he might give expression to his views in the shape of a series of resolutions which he would lay before the House. He did not expect his advice would be taken, but he would advise the Government to let the views of Parliament on this subject go before the people; let it remain over till after the recess, and when they came back in Spring they would be in a better position to act wisely and justly with the question. (Cheers).

Mr. Gray said if any doubt had rested on any gentleman's mind as to the propriety of passing these resolutions, he thought that doubt must have been removed by the speech of the member for Hants. That honourable gentleman had admitted the fertility and value of this territory. He had pointed out in most powerful language that the Hudson's Bay Company had sat as an incubus and curse on the country, and he had declared that England would not expend a farthing to maintain our rights. If that was the case, could we in fairness leave our fellow countrymen in the Red River settlement and in the Saskatchewan Valley, to remain under the curse of Hudson Bay rule, without laws, without the enjoyment of liberty, and not do what was in our power to extend to them the blessings we enjoyed ourselves? He (Mr. Gray) was prepared to say that we had no right to call on the British Government to undertake the settlement and development of the North-West. The British Government had performed that duty towards us in these colonies, and when under its fostering care we had reached the important position we now filled. We ought to say that the British Government should not be called on to incur one shilling of expense on account of British America, except in case of extreme emergency, in the case of war or imminent peril. We had no reason to anticipate any trouble of this kind at present. He thought injustice was done to the intelligence and morality of the leading men of the United States, when it was assumed that they were eternally desir-

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ing to grasp this country, and include it within their own domain. On our part, our mission at this moment was a mission of peace and not of hostility to the United States, and in building up this new nationality, we should pursue the course which had been so successfully pursued by the people of this country during the last forty years. They had gone on extending their settlements, mapping out territory after territory, and giving the people, originally few in number, who settled in these territories, the benefit of their laws, and the aid derived from their power. We could not follow a better example with regard to our own fertile territories in the West. And in doing this, it would not be without prospect of ulterior benefit to ourselves, not only to this portion of the country, but to the people on the seaboard. What had built up the great prosperity of the cities on the seaboard of the United States but the opening up of the trade of the West, and the providing of artificial channels to bring it to the sea. Mr. Gray went on to refer to the policy of England in recent years in sweeping away monopolies which had cramped the energies of the people, and contended that a similar course should be pursued with reference to the Hudson Bay monopoly. He alluded to the very serious doubts which existed as to the legal right of the Hudson's Bay Company to the territory it occupied, and pressed the opinion that its right should be decided by a judicial decision, in preference to the question being settled by a compromise. If the Company had no rights the territory would revert to the British Crown, which was willing to give it to us, and it would not cost us a farthing. If according to British law and justice, the Hudson's Bay Company had a legal right and interest in that territory, we should be willing to pay what was the value of that right, for he did not think any man in this country would wish to take away the Company's rights to the extent of a solitary shilling beyond what the law gave. Mr. Gray went on to contend that the opening up of the North-West was as much a part of the Scheme of Confederation agreed to by the various Provinces as was the Intercolonial Railway. He thought the resolutions should commend themselves to every member of the House. When the Government asked a sum of money to carry them out it would then be time to consider whether that sum was excessive or not. He thought we should not lose the opportunity which now presented itself of acquiring these great territories, and that it would be very unwise by delaying the matter till another session, to

allow the Hudson's Bay Company to create fresh obstacles in our path.

**Mr. Anglin** said the impression had been that it was not the serious intention of Government to proceed with this scheme at once. It would be recollected that it was only proposed to go on with it when the finances of the country would permit. This had been the theme of all the delegates in the Lower Provinces. We had no knowledge of what our financial position was, and he doubted if the Government knew. As to the idea of the territory being in danger of being absorbed by the United States if we delayed action, he said surely a great power like Great Britain would not permit its absorption except to such parties, and in such a manner as she approved of. When one Province had been brought in against its will, and was asking to go out, was not the time to be talking of acquiring new territory. His constituents were strongly opposed to the measures, and he thought it should at least be delayed that it might have fair consideration. If the Government pressed it he feared it would be carried, but it was the duty of the Government to repress rather than to encourage the extravagance of their followers. If they did not do so, the dissatisfaction now existing would be greatly increased.

**Hon. Mr. Cartier**, who rose after a pause and cries of "question," referred to the large sum recently paid by the United States for the late Russian possessions, and in reply the arguments drawn from the proposed heavy expenditure on the Intercolonial line, said that the increase in wealth consequent thereon would quadruple the cost, and that for the twenty millions expended there would be an enhancement of real estate value equal to one hundred millions. He asked were we to grudge the paltry sum of five or six million dollars to extend this Dominion to British Columbia. The policy of the United States, which had been referred to, immediately adopted on their becoming a nationality, had been the acquisition of fresh territory—Louisiana first and Texas more recently. If such a policy were necessary for them, it would be also necessary for us. When it became known in Europe that so large a territory, able to support, as had been proved by the Minister for Works, so many millions, we would see the effect produced upon the tide of immigration to our shores. Our country would be then as attractive as the United States, which derived its prestige mainly from its immense extent. The acquisition

ought to excite no internal jealousy, and it would increase the importance of the whole Dominion, and not, as the representatives of Quebec well know, that of Ontario only. The English Government were quite ready to transfer the territory to us, having had sufficient experience in government by companies. The Hudson's Bay Company had, however, discharged its duties to the Indians in a way to entitle it to honourable recollection. But the Company would have no grounds for complaint in a simple change of masters.

**Mr. Chipman** asked were all the inhabitants of this territory willing to come into the Union, or were they to be dragged in against their will also? Were the people of the Dominion willing to receive all these Indians and others? It seemed that the Government had nothing to do but to say to this man come! and he cometh. (Laughter). He did not profess to be a politician, but he was a commercial man, and he knew how a man overwhelmed with debt, and swamped by every kind of difficulty, if he were to propose the purchase of extensive property, would be looked upon. He would oppose the proposal which, if carried, would, he supposed, be followed by the annexation of the United States. (Laughter.)

**Mr. Simpson** defended the Hudson's Bay Company from the charge of neglect to the Indians, and spoke of the climate of the North-West Territory as being equal to any part of Canada he had ever known. It was necessary to take possession of the Red River country for the protection of the Northern shores of Lake Superior, the part of the country from which he had come, and which had been too much neglected. He asked why we did not pay for our public works in these wild districts, as the United States did, in the grant of our wastelands, which would never otherwise be settled. The North-West country abounded with untold mineral wealth, and yet we had not one mine, or any enterprise established there, except that of one small steamer supported by the subsidy of a small mill. The honourable member gave an interesting account of the Indians of the far West, with whom he had been familiar from boyhood, and whom he characterized as quite incapable of receiving civilization. He believed, despite of the Missionary reports which go out year after year, that they were now no nearer Christianity than when Missionary efforts first began, and this he attributed partly to the unseemly competition

among Christian sects. He had no doubt of the validity of the charter of the Hudson's Bay Company, in whose stock English capitalists had invested so largely. The honourable member, who spoke at considerable length, was much applauded as he resumed his seat.

On motion of **Sir John A. Macdonald**, the House concurred in the resolutions reported from Committee of the Whole, relative to the construction of the Intercolonial Railway.

**Sir John A. Macdonald** then introduced a Bill on the same subject, and said it was printed and ready for immediate distribution.

On motion of **Sir John A. Macdonald** the Bill relating to the Commercial Bank was read a 3rd time and passed.

The House adjourned at a quarter to 12 o'clock.

#### NOTICES OF MOTION

**Mr. McCallum**—Address for the names of all vessels purchased by Government and employed as gun-boats in 1866 and 1867, the age, class, tonnage, and price paid for each, names of parties from whom purchased, the amount paid for fuel, etc.

**Mr. Masson (Soulanges)**—Bill to make weights and measures uniform throughout the Dominion.

**Mr. Bown**—Address for various particulars respecting the prosecution instituted against Indians in the County of Brant, during the five years ending July 1st, 1867.

**Mr. Oliver**—Address for a statement of the amount due to the Government by the Bank of Upper Canada on the 1st July, 1866, and the amount due at this date; also, all correspondence between the Government and the Bank relative to the said debt during the above period.

**Mr. Connell**—Address for return showing the amount received by Government in stamp duties during the year ending 30th June, 1867.

**Mr. Harrison**—That the petition from the cigar manufacturers, residents in many of the principal cities and towns of the Dominion, be printed for the use of members.

**Sir John A. Macdonald**—That when the House adjourns on Friday, it stands adjourned till Saturday, at 2 p.m.

**Hon. Mr. Rose**—that the House will on Monday resolve itself into Committee of Ways and Means.

**Mr. Drew**—Amendment to the Grand Trunk Bill, providing for the appointment of a Committee of the House to ascertain the condition, standing and solvency of said Company.

**Mr. Chamberlin**—To refer the petition of Arthur Harvey to the Joint Committee on the Library.

**Mr. Bowman**—Address for a return of the evidence and report of the enquiry into the frauds alleged to have been committed by the brewers of the County of Waterloo.



## HOUSE OF COMMONS

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Thursday, December 5, 1867

The Speaker took the Chair at three o'clock.

### GRAND TRUNK BILL

**Hon. Mr. Cartier** reported from the Railway Committee the Bill to amend the Grand Trunk Arrangements Act of 1862 with amendments.

### PRINTING COMMITTEE REPORT

**Mr. Mackenzie** moved the adoption of the third report of the Printing Committee, recommending a scheme of distributing the printed documents of the House.—Carried.

### HUDSON'S BAY COMPANY

**Hon. Mr. Langevin** brought down a supplementary return to the address for papers relating to the Hudson's Bay Territory.

### CIVIL SERVICE BUILDING SOCIETY

On motion of Sir John A. Macdonald the Bill respecting the Civil Service Building and Savings Society, was read a second time and referred to the Private Bills Committee.

### THE NORTH-WEST TERRITORY

The House then resumed the adjourned debate on the resolutions for the incorporation of Rupert's Land and the North-West Territory with Canada.

**Mr. Thompson, (N. Ontario,)** who asked the indulgence of the House on the first occasion of his addressing them, considered the question as one of vast importance, and one which should occupy their most careful attention. He looked forward to seeing this Dominion rise to one of vast importance in the scale of nations, and had no doubt, but that every member of the House must regard with favour the prospect of its extension to the Pacific shores. The question to be considered was the best mode of this extension, and whether this was most certainly to be reached by proceedings based upon the present resolutions. Above everything it was

desirable that unanimity of feeling should prevail amongst us, and that honourable gentlemen from the Maritime Provinces should act in concert with ourselves. We should show them that it is the interests of the whole Dominion that we have at heart, and not the aggrandizement of either east or west separately, and he regretted that this conviction was not gaining greater ground. The Intercolonial Railroad, to be constructed at so large an expense, was a work of paramount importance, as connecting us closely with these Provinces, but this connection could be best maintained, not by the influence of the iron horse alone, but by a pervading knowledge of our identity of interests. For the advantage to be derived from the Intercolonial Road, they of the west were paying perhaps extravagantly. These advantages to them were in the access provided to the seaboard, but the chief benefit must be reaped by the Lower Provinces, as it was in the places of outlet for trade that cities were accustomed to spring up. Of this benefit Ontario and Quebec were willing to pay the greater share of the cost, and this willingness, even more than the road itself, should serve as a bond of union among them. But, although it were conceded that an extension of the Dominion westward were altogether desirable, the question remained whether the present was the most opportune time to engage in such an enterprise, the details of which were as yet imperfectly understood. It was only by the encouragement of immigration to fill up these wilds that we could hope to make them valuable, and we had immediately adjoining us the territory of the United States, which could afford many superior inducements for settlement. The preservation of British Government and of British institutions would, however, weigh with Englishmen in favour of our own possessions. To such people it would be an injustice to bring them from the east to be confronted with so powerful a body as the Hudson's Bay Company, and to be settled on lands to which we held no clear title. At some future time, when the true financial position of the country had been ascertained, we might look to the acquisition of this property. Meanwhile the establishment of our prosperity was not dependent

upon territorial acquisition, but upon the good feeling which we should mutually endeavour to promote in the country and our home. (Hear, hear.) If we were to acquire this property it would be necessary to extinguish the claims, not only of the Hudson's Bay Company, but of the Indians by whom a great portion of it was inhabited, and it was right that we should know the expense at which this was to be accomplished. There had been careless and random mention of six or seven or eight millions of dollars, which had been treated as a mere trifling sum, but if the sum was not judiciously expended, it was they who should be made answerable for its outlay, and they would not be giving satisfaction to the people of the other Provinces if, in addition to the increased customs taxation which they should be compelled to lay upon them to meet expenditure in their service no less than that of Quebec or Ontario, they should proceed to impose additional burdens for such an object as the present. For a subject of such vast importance, time should be allowed for consideration, and he should therefore oppose the resolutions.

**Mr. Magill** said, that as far as his observation extended, the resolutions had been opposed mainly by the representatives of the Maritime Provinces, who had hitherto been in the habit of looking eastward over the ocean prairie, and as the whole Dominion might look out towards the Rocky Mountains, and over the great Pacific Ocean. They (from the Maritime Provinces) had among them gentlemen with a grasp of mind sufficient for the management of the affairs, not only of their own Provinces and of the Canadas, but of an entire Continent. After reference to the purchase by the United States of the Russian Territory, the honourable gentleman took objection to the procrastination recommended by the last speaker who had agreed to the advisability of the measure itself. Now, or never, was the occasion to take action, and the old adage was not the less a true one that procrastination was the thief of time. From the statement of the honourable member for Algoma, it was evident that the protection of civilization and mortality required our prompt interference. How had it happened that no good results had flowed from such missionary labours as had been productive of the happiest influence in Canada? Was it not, because it was not the interest of the Hudson's Bay Company to encourage missionary effort, knowing that the further the Indian was removed from civilization the more he was disposed to hunting the buffalo and the

[Mr. Thompson (Ontario North)]

muskrat (a laugh). Seeing around him such an array of intellect, he could not but feel regret that they should not be prepared to join hand and heart in so great an undertaking to which he could remember the time when no representative of Western Canada, avowing reform principles would have ventured to raise objection.

**Dr. Parker** said that an appeal had been made to them to acquire this increase of territory for the purpose of Christianizing its Indian population, as we had already Christianized our own, but thought that it might be doubtful whether we had any reason to regard the result of our efforts among the latter with any great complacency. A Mexican Indian, upon being told of the happiness of the hereafter, enquired whether he was likely to meet any Spaniards there, as in that case he should prefer to stay away, and he thought the Indians of this country might fairly hold the same opinions of ourselves. The control of the North-West Territory by the Hudson's Bay Company, the continuance of their charter, and the manner of its exercise, reflected opprobrium alike upon the country and the British Parliament. He would have no hesitation whatever in voting the necessary large expenditure if, by so doing, they could raise the Indian to the position of civilized humanity, but here there was no question of philanthropy, but of profit and loss, and they should be in a position to show the people that their outlay in this direction would be more than compensated by the consequent advantages. The Minister of Public Works had pointed out no such advantages. The sequence of the resolutions was most illogical, and he was astonished to find the House invited to draw such conclusions, from such premises. In support of the first resolution nothing had been advanced but a statement of the opinion of leading statesmen here. But public opinion, even though friendly to the annexation, had never declared itself in favour of the terms of annexation now proposed. Passing from the Atlantic Ocean through Nova Scotia and New Brunswick, we came upon a large tract unfit for occupation—the declaration written across the face of the earth that the districts which it set apart should remain divided. Similarly from the limit of western Canada to the first settlement at Fort Garry, on the verge of the valley said to contain ten thousand people, stretched eight hundred miles of desert, while beyond this valley lay a waste solitude, and past the Rocky Mountain barrier, but a nar-

row strip on the Pacific shore. Districts so sundered were impossible of union. The progress of the United States had been instanced, but that progress has arisen from the continuity of their fertile soil, and the variety of its capabilities. An American standing on the southern shore of Lake Erie could pass a watchword to the Gulf of Mexico, transmitted from one settler to another across the whole breadth of the land. But a union of isolated settlements, of isolated territories, and of isolated peoples, would not fail to prove a source of danger, and of overthrow to the Government and the Dominion. As to the commercial advantages anticipated by the resolutions, he asked was there any article of commerce to be transmitted between the Atlantic and the Pacific, the value of which would not be consumed three times over in the charges of its transit. The abstract proposition that prosperity was to be secured only by stable Government, he might pass over as axiomatically true, and as being equally applicable to Mexico. The fifth resolution drew a perfectly illogical conclusion from the preceding four, and it had been by no means shown that it was expedient to address Her Majesty in the terms proposed. There had been a change of position on the part of the Ministry with respect to the extent of territory they required. The Government of the late Province of Canada had desired the annexation of the North Western territory only, and had never, as was done now, made any claim or pretension to the less fertile region of Rupert's Land, where the rights of the Hudson's Bay Company are strongest, and for relinquishing which they will require the greatest amount of compensation. The late Government had proposed the extinction by the Imperial Legislature of the Company's claims, which had been approved by the Secretary of State, Mr. Cardwell, and consented to by the House of Commons, on the condition of Canada's providing a proper system of Government. We now are asked to purchase, in our generosity, what was then tendered as a free gift to our predecessors. The national policy that caused the remodeling of the East India Company, called for the extinguishing of this charter also. It was our duty to petition the Imperial Government with this object, and until our petition had been denied, we were not justified in laying burdens upon the people for the acquisition of territory, which should be ours free of charge. It had been said that the Company's claims were to be settled in the courts, but whether in our own courts or in those of

England, was not clear, and we should find ourselves involved in long and tedious litigation. If the purchase money were to be a small matter, would it have been proposed that an Imperial loan should be resorted to? To undertake the government and settlement of this territory comprehended the opening of communication, the establishment of a police force, and it might be of a military force also to act against the Indian tribes. The statement of the Minister of Militia that half a million would be sufficient for the eight hundred miles of road was utterly absurd and preposterous. The communication, to be in the least effective, should be by railroad or steamboat, for what immigrant, who had, perhaps, expended all his resources in travelling to this country, would undertake to travel with his family this distance by a wagon road? Seven or eight millions would not be too high an estimate of the cost of establishing a police force and of opening this road, which, like the Intercolonial Road, would prove of political, if not of commercial, necessity. If the young Dominion was not satisfied to confine itself to consolidation, but was to set about planting a new colony, it would in future years come back as a reproach to us that we had undertaken what we had been unable to fulfil. Unless we were to grant licenses to trade and protect these licenses by police, he did not understand what greater advantage would accrue to ourselves than to Americans from our occupation. We were in fact pledging the country to an unknown expense; he thought of, perhaps, twenty millions—the Ministry thought of less—but it still remained an indefinite matter of opinion. The slightest spark might kindle an Indian war, one year of which, as the experience of the neighbouring Republic might teach us, would almost reduce us to bankruptcy. It had been said the mineral wealth of the country was abundant, but without coal it would be entirely unavailable. He differed so far from the Ministry that, if he were prepared to accept the resolutions, he would not hesitate to go in and take possession against the Hudson's Bay Company on the broad principles of the right of a settler's spade, and axe, against the Company's charters and royal arms. Upon the broad principle of the double right of man to cultivate the earth, and the earth to be cultivated by man, any charter forbidding which, we held worthless and invalid. We had expelled the Indian whose right was a thousand times that of the Company, and were we to treat the white savage with more considera-

tion than the red? Were the people to be called upon to respect, and to purchase a charter divorcing half a continent, condemned by it to sterility, unchristianity and barbarism? (Hear, hear.) He held that the Company's claims to the exclusive right to trade were not worth a dollar. Traders from the Red River and Americans had penetrated into the fur-bearing region, and introducing their supplies cheaper, were enabled to undersell the Company, which, finding itself subjected to a ruinous competition, now desired to resign its business and to make a handsome profit by its sale. He hoped the Government would postpone the question, and let it go for decision to the country. He would never consent to make this leap in the dark, unless in accordance with the wish of the people, clearly expressed upon a full understanding of all the facts.

**Mr. Connell** regretted that almost the first time he rose to address the House it should be on resolutions brought down by the Minister of Public Works. These resolutions no doubt were prepared with much care and with a strong desire on the part of the Government that they should pass the House. He regretted that the Government considered it their duty to bring forward these resolutions at the present time. The House had been in session nearly 30 days and they had not yet had a financial statement before them, so that they could judge whether they were in a position to deal with this all important subject. He had been elected by a large constituency to aid the Government in giving effect to the consolidation of this Union, and it was his duty to so vote in this House that acts should not be passed to increase the burdens upon the people. In his opinion the acquisition of this territory would involve a sum of no less than \$6,000,000 for the purchase of the rights of this mammoth company. He was not prepared to give his vote for a measure of that kind, and the people of the Province from whence he came were opposed to it. If these resolutions pass does not Parliament pledge itself to settle this question, and to provide for any amount awarded by arbitration or judicial decision? This is not all. We must at once provide for the government of this newly acquired territory, and it must have its governor, council, and assembly. He believed the time would come, and it might be at no distant day, that they would have to take action in this matter, but now their finances were not in a condition to do so. At the Quebec Conference, it was agreed that this subject should be dealt

[Dr. Parker (Wellington Centre)]

with as soon as our finances permitted. When that time arrived he would be prepared to deal with the question. They should look first to the settlement of their own Dominion and the development of their own resources before they sought to acquire new territory. When Mr. Brown went to England to negotiate in connection with a settlement of the claims of the Hudson's Bay Company, the whole of this territory could have been secured for a sum not exceeding two million dollars. Has it increased in value to such an extent that its new owners demand a sum exceeding \$6,000,000 for their interest in the territory? Was the Government afraid of losing this bargain that they bring forward these resolutions in such haste? It is said that, unless we take action in the matter, these parties will sell to the United States. If the right of the British Government rests on so doubtful a title, it is well for this House to pause and not go into competition with the United States. He had heard it said that Railroad Bill and this must pass together. If this is the policy of the Government, he would say to them that even the Railroad would not induce him to vote for the expenditure of so large a sum of money, without proper consideration of the subject. He (Mr. Connell) then referred to the various resolutions, and after commenting upon them, said the 6th resolution was the one to which he particularly objected. He was quite prepared to go for an address that would carry out what was done by the late Parliament of Canada—that is showing to the British Government that no rights existed in this country; and if so, that the Government of England had a right to deal with the subject. When it was so dealt with and the transfer made, it would be time enough for the House to consider it. He was prepared, so far as the finances of the country would permit, to aid in opening the country; but, until he had the means he was not prepared to record his vote in favour of the 6th resolution, because it would be injurious to the trade and commerce of the country, and interfere with the payment of interest on our existing liabilities, which amounted to upwards of 77 million dollars. This, with our new liabilities of twenty million dollars for Intercolonial Railroad and the local tax of the country, was as much as we were prepared to bear, particularly in view of the present financial condition.

**Mr. McMillan** could not understand how any person could be in favour of Union and opposed to the carrying out of a policy with-

out which the Union is incomplete. He had supported the Union policy, and if there was a question which he had explained to his constituents more than another, it was the advantages to be derived from extending this Union from the Atlantic to the Pacific. They were forming a new nationality, and without this extension they would not attain the importance which they would with a territory extending from ocean to ocean, united under the protection of the mother country. They should adopt the policy of the United States in regard to its territorial expansion. He regretted to see in this country a fear of giving umbrage to the United States in regard to matters of our own internal economy. A great deal had been said about the naval and military power of the United States. True, they were to some extent a military power. They had with twenty millions of people succeeded in conquering four millions. We should not be afraid of difficulty arising with the United States on account of our policy here. We should not live by sufferance, for as long as we had the Mother Country to help us we need fear no danger from any attack being made by the United States. In regard to the extent and resources of Rupert's Land, there was but one opinion. The productiveness of its soil was unsurpassed, while its climate was far superior to the climate of the Maritime Provinces, and equal to the most favoured parts of Canada. The country would not remain long in its present condition. If pressmen were correct the Government of the United States had a desire to negotiate with the Hudson's Bay Company for its purchase. He did not think these resolutions committed them to purchase that territory, but if they have legally rights they should be considered, and if proved to be of value they should have a fair remuneration for them. It had been made an argument against Union in the Maritime Provinces that they would be under the control of Canada and that large expenditure would be incurred in enlarging the canals of Upper Canada. Therefore it was made one express stipulation in the Quebec resolutions that the expenditure would not be made until the finances of the country justified it. But he had no recollection of any opposition being made by the Union party on account of the desire to extend this Union from the Atlantic to the Pacific. If half a million dollars would make the necessary connection, they should not endanger this Union by any hesitancy.

**After the recess,**

**Mr. Joly** said he accepted Confederation frankly, and was willing to turn it to the best account for our prosperity, but we must not go too fast or too far. We have first accepted unanimously the Intercolonial Railroad which would tax to the utmost our resources; but now, on this question, there is general opposition, even in Ontario, where public opinion and local interests favour the scheme. We don't know the cost of this annexation, and likely we cannot pay for it. French Canadian members cannot support these resolutions with the consent of their constituents, who would not consent to such an expense without any visible profit. He condemned the haste with which the measure was pressed upon the House, and quoted General Michel's opinion against the military importance of that country. He did not believe the Red River people want annexation with us, but the Hudson's Bay Company was threatening us to obtain a higher price. If this people see that we take interest to their position, but are not willing to wait till we can help them, let them be annexed to the States. We could not take the Company's place without establishing a perfect Government and complete organization. The United States began to annex other territories when they had a greater population than we have, and they had no powerful people to deal with as neighbours. He hoped the Government's friends would press upon them to obtain the withdrawal of the resolutions, otherwise they must vote against the resolutions, even if that be taken as non-confidence in the Administration.

**Mr. Masson (Terrebonne)** said there was a difference between carrying on Confederation and voting such annexation. He could perhaps favour the annexation of Red River, as possessing guarantees of wealth and prosperity, where American influence is small, and where great confidence exists in the British constitution. But beyond the interests of that country there were the interests of Canada. These interests were not known yet, and new members must have more time at least, and would not be till the second part of the session, so as to form a clear opinion. He was not able now to take the responsibility of that purchase, and he thought the Government ought to know the exact amount to pay for the Hudson's Bay Company's rights. If the Government persists in hurrying the question, he would vote against the resolutions.

**Mr. Harrison** said he had examined the resolutions with considerable attention, and had come to the conclusion to support them. The subject was second only to Confederation in importance. There was no doubt of the great natural resources and vast extent of the Territory in question. It consisted of three hundred thousand (300,000) square miles of land, one hundred thousand (100,000) of which was as good prairie land as any in the world, every acre fit for cultivation. Some writers had put the extent of the prairie land at four times that amount.

**Mr. McDougall**—Mr. Hind represents that there are ten millions (10,000,000) of acres of arable land.

**Mr. Harrison**—Let the quantity be less or more than that, there is no doubt that it is enormous, and was provided with great natural highways in its large rivers and lakes, rendering it a comparatively easy matter to open up communication with it. There was no doubt the opening up of that Territory would be beneficial to Canada. We had need of immigration. Why was the United States securing so large a share of immigration? Because of the attraction of her fertile prairies—affording to agriculturists easy means of securing wealth, or at least competency. In this North-West, we had prairie land equal to any in the Western States. Possessing these lands we could not only give to immigrants land equal in fertility and natural facility of cultivation, but also the protection of British laws. The moral power we would acquire by this acquisition of territory would be something very great. We would have territory half the size of Russia, and thirty times the size of England, Scotland and Ireland put together. He denied that the former Government of Canada could have had this territory for nothing. It was an express condition of the negotiations between Canada and the Imperial Government at that time, that Canada should pay an indemnity to the Hudson's Bay Company, raised by loans under the Imperial guarantee. He held that delay on this question would be dangerous. If we were to receive that territory at all, we must take action in the matter now. The United States were eager for territory, and if we did not take possession of that territory and open it up for settlement, the Americans would. They were willing to pay for it, while we can get it for nothing. He expressed surprise at the opposition to this measure of some members of the Reform party which for years had adopted it as a plank in their

political platform. It had been said that this territory would be a source of weakness, but it would be remembered that we should have the protection of the mother country. As things are, that Territory was as liable to be invaded, and Canada was just as much in danger as if we possessed it. He did not think the Hudson's Bay Company had proprietary rights in that Territory; had no right to prevent its being opened up to civilization. The monarch who granted the charter had no right to do so, and the conditions of that charter had not been fulfilled. The question should be submitted to the courts, and he had no doubt the decision would be favourable to Canada instead of to the Company. The Company, instead of claiming damages, should pay damages for preventing the march of civilization. He would support the resolutions, first, because the object sought for would be advantageous to Canada; secondly, because it would be advantageous to the territory itself, and the work must be done now or never.

**Hon. Mr. Langevin** said Lower Canada had in the past opposed the annexation of Western Territories, because Representation by Population would have endangered their institutions. By Confederation we got rid of these. The question was before the people for many years and was included in the Confederation Act and approved by the electors. Expenses incurred in such enterprises were refunded in an indirect way. There was not money to vote now; if money became necessary Parliament would decide. Western extension was as important to Quebec as the Intercolonial Railroad to Ontario. The Hudson's Bay Company was ready to sell to anybody and would sell to the United States. French Canadians always fought for their institutions, their rights, their language, and now they cannot refuse to favour our extension, our political progress, and our future liberties. We must respect everybody's rights as we have done for our seigniories. He said Indian incursions into American territory could be a cause of war or conquest. We must establish Government, and law and justice to favour immigration. There were ten thousand Canadians there. The exports were two million dollars worth a year. There our countrymen will be at home with the same language, same institutions, and same religion. A loyal subject could not suffer the Red River territory to be annexed to the States, but must press their annexation to Canada.

Mr. Mackenzie said we must consider this important question from a national point of view, and he was quite disposed to deal with it in the broadest sense, believing that the future of the country depended to a great extent upon the course the Legislature would take at present upon this subject. Many years ago he had taken the ground that the prosperity of the British North American Provinces depended in a great measure upon the means which would be taken by England and these Colonies to open up for settlement that vast space which was now almost totally unoccupied by civilized man. One of the objects he desired to see effected by Confederation was the stability of British power on this Continent. (Hear, hear). He had an aversion to the republican institutions of the people living alongside of us. He had an aversion to the system of politics there, and he had no wish to see this country fatally absorbed by the Republic of the United States. (Hear, hear). It was for that reason he had given his most hearty, ardent and he might say enthusiastic support to the Union of these British Colonies, and it was solely for this reason he had given a reluctant assent to the Coalition which was formed in 1864 to carry out the proposal of Union. At present he felt that it was necessary for the consolidation of the British power on this continent, that we should take a firm hold of the vast country that lay to the West of Canada. He was aware of the grasping, avaricious spirit that prevailed in the United States in regard to the acquisition of territory, and he had no doubt many people there were anxious to lay their hands on the rich and fertile regions of the North-West. That very fact should only stimulate us to active exertions in order to prevent any such communication by bringing that country within the influence and jurisdiction of the Government of the Dominion. (Hear, hear). If it were the case, as the honourable member for Hants said, that English statesmen had shown culpable, almost criminal negligence in regard to these Provinces, as well as to the North-West Territory, it might be safely said that such negligence was confined to individuals actuated by commercial motives; and that as far as the official action and language of the Imperial Government were concerned, we had received all the support and encouragement we could reasonably have asked. He took for granted that Great Britain was disposed to act in good faith in this matter, if we should take upon ourselves, as far as our resources would permit, the duties

and burdens in regard to that country, which were now borne by the British people. He looked upon the acquisition of these regions as necessary for various reasons, among them being that an outlet would thereby be afforded for the energies of our young men who were now compelled in consequence of the limited field for settlement offered in Canada, to seek for homes for themselves in the United States. He went on to speak at some length of the capabilities and resources, agricultural and mineral resources, of the country now ruled over by the Hudson's Bay Company. He admitted that a rocky sterile belt intervened between it and Canada, but by judicious encouragement of mining settlements he thought connection could be made which would ultimately, in conjunction with the growing wealth which would be developed in the agricultural country west of Lake Superior, call for and support railway communication. He was not willing, however, in order to acquire that territory to place in the hands of Government power to come to an agreement with the Hudson's Bay Company and determine the precise terms upon which that Company would abdicate whatever rights it possessed in that country. This was a power which no Parliament should ever give any Ministry, and it was a power he was amazed any Government would come down to the House to ask. He was quite willing to give the Government power to open negotiations with the Company, but no decisive step should be taken until it was fully explained and had received the sanction of Parliament. He believed that a large portion of the territory would open a wide field for settlement to immigrants and become a valuable addition to the territorial possessions of these Provinces. A line of communication could be opened at no very great cost for summer travel and it would become Parliament to consider whether it would be wise to enter into any considerable expenditure for that purpose. He enlarged upon the necessity of obtaining control over this Territory, and expressed his belief that if institutions were established there which afford the social protection and political rights enjoyed in Canada, thousands of immigrants would be attracted thither, who would speedily develop the abundant resources of the soil. In regard to danger of war with the United States in consequence of the possession of this country, he would repeat what he had said on another occasion, that he would not consent to live in a country which existed simply on the suffer-

ance of a foreign power. He believed that international courtesy, not to speak of the power of Great Britain, would restrain aggression from that quarter, and if from causes beyond our control war should deplorably break out between the two countries, he was proud to believe we were prepared to maintain our position; and he did not think the Empire was so weak as to allow the British flag to be lowered before the Stars and Stripes. (Applause). After further remarking upon the benefit which would ensue from the accession of the North-West, he concluded with reiterating his objection to the 5th resolution, which would give the Government power to make arrangements that ought to be submitted to Parliament before being finally decided upon.

**Mr. Morris** referred to the inconsistency between the position now taken by the member for Hants on this and similar questions, and the position he took years ago in his pamphlet on the organization of the empire. He had then indoctrinated into the minds of young America visions of the consolidation on this continent of a great British nationality, which he (Mr. Morris) and others who learned these lessons, still as ardently cherished as ever. He read from speeches of Earl Russell, the Duke of Cambridge, and others, to show that the statements of the member for Hants as to the feeling in England with regard to the defence of the British American Colonies did not truly represent the feelings of the leading minds of England. Coming to the question more immediately under discussion, he enlarged on the vastness of the fertile Territory in the North-West, and contended that it was quite practicable to open up available means of communication. He then alluded to the history of the North-West adventurers in the earlier annals of Canada. The Jesuit Fathers and other early French pioneers passed up the valleys of the Saskatchewan and the Red River of the North, and settled themselves there with an enterprise which we would do well to follow. He trusted the descendants, both in Lower and Upper Canada, would be ready to follow in their fathers' footsteps, and to do what they could to retain for themselves and their posterity the great country to which they were bound by so many ties of interest and sympathy. He thought the course suggested by the Government was the only practical one of dealing with this great question. That under the terms of the Confederation Act we should approach the British Crown and say we were desirous of being placed in a position to

[Mr. Mackenzie (Lambton)]

control the interests of that valuable territory, and that if any legal rights on the part of the Hudson's Bay Company would be established—which he exceedingly doubted—we were prepared to recognize these rights, while rigidly maintaining our own to every inch of soil which belonged to us. He then referred to the necessity for an outlet for the young man of the country who found all the available land within the present limits of the Dominion taken up and concluded by expressing the hope that as we had seen realized the dream of a great colonial Union we would yet see it extended on a sure and stable basis from one ocean to the other.

**Hon. Mr. Huntington** thought it unfair and undignified for honourable gentlemen to be continually hurling across the House imputations of political inconsistency against the member for Hants, (Mr. Howe) based upon his utterances of twenty years ago. If political inconsistency were a crime, what should be said of the career of the honourable leader of the House. What was the course of politicians in Canada, those political gentlemen who talked to us of cloud-capped hills and golden valleys, when they found that the sentiment of Nova Scotia had declared itself unmistakably against Union? They declared that the honourable member for Hants must be bought, and were not ashamed to refer to his visit to the United States as being highly suspicious. The honourable gentleman on his left (Mr. Mackenzie) had gone so far as to say that all who opposed Union must be annexationists. The honourable member had entered the House free from obligations or allegiance to any of the old Canadian parties, and the Government had no reason to complain of the fairness with which he had met them, and judged their measures upon the merits of each. He had no idea to take part in discussion of Nova Scotian politics, but there could be no doubt, but that the people of that Province had sent their representatives here with the conviction that they had been led into captivity. He would be false to his principles, if he could say that he believed that his own Province under the constraint of all the influence which a Government could bring to bear—in which even the sacred name of Majesty was included—could have remained true to their convictions, and could have maintained their political consistency as nobly as had been done in Nova Scotia. He had been forcibly struck by the observations of the member for Hants, regarding the attitude of English opinion during the passage of



the Union Act, and he believed that there had been a disposition to throw very hastily upon the young Confederation the burdens of a nationality. He was the last man to believe that Britain would, by leaving us defenceless, become guilty of any act which might tarnish her honour, but he greatly feared that this Confederation was the first step in the direction of an independence which might be thrust upon us before we were prepared for it. The threat of the risk of annexation had been freely held out in argument, but the real danger of the country was of drifting toward a premature independence. We had no interest in attempting to sever our connection with England, under whose protection our integrity was secure. If English statesmen should consider that it was advisable to leave us to our own protection, three months would suffice for the accomplishment of the project, which would be hustled through this Legislature with only the delay occasioned by the common forms of society. This young Confederacy of to-day might assume place as a nation to-morrow, but, Sir, what a nation! Nationality cannot be consolidated by Acts of Parliament. Consolidation must be the result of steady growth, and of no hot-house precocity.

**Hon. Mr. Johnson**, as a lawyer, could not agree that the Hudson Bay Company's grant from the Crown was capable of being called in question, except by the source from which it was derived. He quoted the circumstances of the annexation of Texas as furnishing a reason for taking immediate steps to guard against any dangers from the passion of the United States for the increase of territory, and believed that the heart of England was with her colonies, which she could not afford to lose under the penalty of sinking to a third class power. So far from considering the resolutions as premature, he was of opinion that all delay in taking the action which they recommend was dangerous, and if the securing of this territory depended upon the present vote of a large sum of money, he would be prepared even now to grant it. He did not believe that there was a likelihood of rupture between Great Britain and the United States, whose destiny was rather to work together for the common progress of their common race, and to curb absolutism and tyranny throughout the world.

**Hon. Mr. Cartier**, after cries of "adjourn," stated the wish of the Government to go into Committee at once, and, reporting progress, to ask leave to sit again to-morrow. There

were reasons of State which made it advisable that the Address to the Imperial Parliament should be passed without delay.

**Hon. Mr. Holton** did not think that the Government would act wisely in pressing the resolutions, which affected the possession of half a continent, upon which every member at all in the habit of addressing the House was desirous of speaking.

**Hon. Mr. Smith** also urged the adjournment of the debate, but after some brief discussion and explanation from Hon. Sir John A. Macdonald the House went into Committee *pro forma*, and resuming after progress reported and leave given to meet to-morrow, adjourned at twenty-seven minutes past midnight.

#### NOTICES OF MOTION

The following notices are given:—

**Mr. Sproat**—Enquiry whether Government intend to make any appropriation during the present session for the improvement of harbours on the east coast of Lake Huron.

**Mr. Tremblay**—Address for the amounts paid and still due to Lower Canada township municipalities in compensation for seigniorial indemnity.

**Mr. Lawson**—Address for reports and other correspondence relating to the Hamilton and Port Dover plank road since January 30, 1855.

**Mr. Sproat**—Address for the report showing the quantity of the lands purchased, under the actual settlement system, in the townships of Amabel, Albermarle, and East Norwich on the Saugeon Indian peninsula with the average price per acre.

**Mr. O'Connor**—Address for particulars in relation to the Municipal Loan Fund of Upper Canada, and the amount paid from the consolidated revenue to the credit of the fund, under the Seigniorial amendment Act of 1859, advances to municipalities, the amount paid out of the consolidated revenue under the Seigniorial Act of 1854, in excess of revenue from some special appropriation by that Act. What municipalities had borrowed from the fund, and how much has been repaid; and the amount still due, and what municipalities are in default.

**Mr. Metcalfe**—Address for correspondence between the Government and the American, or any other Bank Note Company, from January, 1864, to January, 1867, on the subject of engraving notes for the Government.



# HOUSE OF COMMONS

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**Friday, December 6, 1867**

The Speaker took the Chair at three o'clock, but the doors were not opened till a quarter to four. It is understood that the discussion related to restriction on the admission of strangers to the reading room and refreshment rooms.

The doors having been opened,

## ELECTION COMMITTEES

**Mr. Walsh** presented a report from the General Committee on Elections, reporting the following as the panel of Chairmen of the Select Election Committees:—Messrs. Blake, M. C. Cameron, John Crawford, Casault, Joly, Scatcherd, Webb and Pozer.

## GOVERNOR-GENERAL'S COMMISSION

**Hon. Mr. Langevin** brought down the return to an address for the commission issued by the Governor-General and the instructions thereto attached.

## SATURDAY SITTING

**Sir John A. Macdonald** moved that when the House adjourns to-day, it do stand adjourned till Saturday at 2 p.m. Carried.

## DUTY ON COAL

**Dr. Tupper** presented the petition of the managers of several coal mines in Nova Scotia, praying that the same duty may be imposed on American coal as is imposed by the United States on coal from these Provinces.

## LETTERS PATENT

**Mr. Macfarlane** moved for leave to introduce a Bill to authorize the issue of Letters Patent to Joseph Walker Cull, for an improvement in Centrifugal Filtering Machines.

**Hon. J. S. Macdonald** thought special legislation of this kind objectionable, when Government had announced their intention to introduce a general Patent Law.

**Sir John A. Macdonald** said Government allowed the introduction of the Bill as a matter of courtesy, but it was not to be understood that they assented to it.

**Hon. Mr. McDougall** thought it would be well if members understood that the policy of the Government was not in favour of this special legislation, and if they discouraged parties from incurring the expense and trouble of having Bills printed.

**Hon. Mr. Holton** said if it was the fixed policy of Government not to allow such bills to go through, it would be no discourtesy to reject them at the first reading.

**Sir John A. Macdonald** did not think it would be right for Government to exclude a Bill of this kind before seeing it. Although the Government might have a general policy, yet a Bill, when printed, might be of such a nature as to warrant a departure in a particular instance from that policy.

**Mr. Smith** believed that, as the law now existed, there was no way of getting a patent for Canada at all. He thought that, during the time the Government required, before submitting a general measure, special legislation should be allowed.

The motion was agreed to.

## REPORTING THE DEBATES

**Mr. Mackenzie** moved the adoption of the fourth report of the Printing Committee on the subject of an official report of the debates.

**Sir John A. Macdonald** requested that the matter be postponed till Monday.

Agreed to.

## BANK OF HASTINGS

**Hon. Mr. Read** introduced a Bill to incorporate the Bank of Hastings.

## THE NORTH-WEST TERRITORY

The House then went again into Committee of the Whole—**Hon. Mr. Campbell** in the

Chair—on the resolutions respecting the North-West Territory.

The first, second and third resolutions were adopted without discussion.

On the fourth resolution a debate arose.

**Hon. Mr. Holton** read the 146th clause of the Union Act, referred to in the resolution, and asked whether the terms and conditions upon which it was proposed to bring this territory into the Union were set forth in these resolutions, or whether it was proposed to amplify them in the address to be founded upon them.

**Hon. Mr. McDougall** said he thought the resolutions sufficiently expressed the conditions on which the Parliament of Canada would like to have this territory. They expressed as few conditions as possible. If further conditions were suggested, let them come from another quarter, and it would then be for the Government and Parliament of Canada to say whether they would accept the territory on these conditions. The fifth resolution was that Her Majesty should untie these territories to Canada, and empower the Parliament of Canada to legislate for their future welfare and good Government. The other conditions expressed were that the legal rights of the Corporation holding the territory, if any such existed, should be respected, and that the Indians should be settled with on the equitable principles which had uniformly governed the Crown in its dealings with the Aborigines.

**Hon. Mr. Holton** contended that the terms were not expressed in the way contemplated in the Union Act, which provided that on an address from the Parliament of Canada, specifying the terms on which we were prepared to undertake the Government of these territories, they might at once be incorporated by Her Majesty by an Order-in-Council.

**Hon. Sir John A. Macdonald** did not think it well to arrange with the Imperial Government any cast-iron rules for the transfer. They should ask that Government for powers enabling the Parliament of the Dominion to provide a Constitution which might be amended as necessary hereafter, to adapt it to the growing requirements of the new country. The Government must be the negotiators of the transfer, but no arrangements of theirs would, or should, be valid until they had received Parliamentary approval. The Government did not desire it to be understood that they recognized any rights whatever, as

vested in existing corporations, but these rights might be claimed at the proper tribunals, and the language of the third resolution would forbid the suspicion that any confiscation was mediated. They proposed to undertake the onerous duty of the protection of the Indian inhabitants from white aggression, and their guardianship as of persons under age, incapable of the management of their own affairs.

**Mr. Mills** said he did not rise to discuss any of these collateral matters, but to resume the general discussion of the question interrupted last night. He reminded the House of the claims formerly set up by the Government of Canada with reference to these territories. When Chief Justice Draper went home to England as agent of the Government in this matter, he laid claim to the North-West territory lying east of the Rocky Mountains as territory belonging to the late Province of Canada. Had the Government now abandoned that pretention? It appeared to him there was sufficient evidence to show that the North-West territory was within the limits of the Province of Ontario, and that it was with the Government of that Province, the Government of the Dominion should deal for it and not with the Government of Great Britain. Looking at the question in this light, he took exception to the fourth, fifth and sixth resolutions which appeared to proceed on the assumption that we had no title to any portion of the North-West territory. He objected also to the fifth resolution on another ground. It was proposed to confer on this Government power to organize a Government in the North-West territory. This would not give the people there any rights of local self Government. He thought the resolution should express on what principles we intended to govern it—whether or not we were to organize territorial Governments like those in the United States, so that the territory to be organized, after acquiring a sufficient population, should have the right to have a certain number of Senators in the Senate Chamber, and certain representatives on the floor of this House. He would therefore add to the fifth resolution words which would secure to the people of the new territory the same rights of local self-government, free from federal control, that are enjoyed by Provinces already within the Dominion.

**Mr. Blake** had believed that the Government's intention was merely to bring the resolutions before the House, and state their policy regarding them, without pressing them,

so that the Joint Address should take place this Session. They had been introduced comparatively late in a short session, and the Minister for Justice had already, in reply to a question which he had asked time to consider, read a statement of the measure proposed to be submitted this session in which they were not included. (Hear, hear.) These Resolutions, if passed, would pledge the country to a policy, which during the recess might culminate in the Order-in-Council, with no sufficient time allowed for its consideration. The Imperial Government would take the earliest opportunity of acting upon their decision, which, unlike other of their Acts to be repealed at their discretion, was final and irrevocable. No one could state correctly the sum to be paid to the Hudson's Bay Company, and upon a measure requiring, from the vast responsibilities which it involved, the most careful consideration the House had been taken by surprise. The Government had a large majority at their back to carry any of their measures, and he asked them as a favour to stay their hand after the discussion, and to let the matter go forth to the country while they were yet uncommitted rashly to the scheme. He had not been present during the earlier stages of the debate, but he had been told that important reasons of State were said to demand its being carried out without delay. He would ask had these reasons of State arisen since the 20th November, when the Hon. Minister of Justice made his statement of the measures with which he proposed to occupy the session—measures in his (Mr. Blake's) opinion quite sufficiently numerous to occupy them in the short time allowed. The House should be made acquainted with these reasons, which had had power to induce the Government to press so hastily a project, which on the 20th November they had considered might lay over for the remainder of the session, and the mere statement of their existence was not sufficient to justify the Ministerial change of programme. He would not enter at length into the discussion, partly because the absence he had referred to occasioned him the risk of advancing arguments which had perhaps been more ably urged already, but principally because he had given his attention hitherto to those subjects which he had been led to believe would be alone brought forward, and had not devoted the necessary time to the close examination demanded by so important a question. But he could not refrain from stating what he considered some good reasons for caution. In all the negotiations upon this

matter they had been constantly retrograding from a more favourable to a less favourable position. These resolutions contained the least favourable proposition yet propounded. The first proposition for the acquisition of a portion of the North-West Territory denied its inclusion in the charter of the Hudson's Bay Company, and suggested steps for the assertion of the rights of Canada. Former Canadian policy had been to throw on the Imperial Government the responsibility of arrangement with the Company, and in June, 1864, we find the Imperial Government engaged in negotiating such arrangements, and accepting the views of the Committee who, upon their completion, proposed to assume authority, not indeed over the whole of the North-West, but over such portions of that region as might be made available for cultivation. In November, 1864, the Committee had announced that Canada would be prepared to treat with the Imperial Government for such portions of the territory as were desirable, when that Government had fulfilled its duty of bringing to an end the Hudson's Bay Company's monopoly, which had been created under its authority, for the existence of which Canada was not responsible, and the benefits of the extinction of which she would only share in common with the rest of the Empire. In 1865, however, a change was made in the proposals of our delegates, who then agreed that the burden of the indemnity should be borne by the Province, by which the amount was to be raised under Imperial guarantee. The effect of this guarantee would be to lessen the yearly cost to us of this loan from 60,000 pounds or 70,000 pounds to 40,000 pounds. The reasons assigned by the delegates for this change were that protracted and vexatious litigation must ensue, and that the interests of Canada required speedy legislation upon the subject. To this proposition also, the Imperial Government consented. From the first proposal to take a selected portion of the territory free, we had then come to taking the whole of it, upon payment of indemnity. The present phase of the scheme has shifted our position so unfavourably as to contain no assurance of providing for us the guarantee at that time agreed upon. It was not sufficient that our obtaining this guarantee should be implied. If there were intention of exacting it, how came it that it was not so stated in the resolutions, in the silence of which we might know that it could not be depended on, and he, for one, would not consent to the passing of the

resolutions, if they were to pass, without their distinct expression that the guarantee should be forthcoming. These he held to be sufficient grounds why even those who agreed with their policy should pause before committing themselves by an irrevocable consent. The honourable and learned member then read extracts from correspondence with the Colonial Office, showing the apprehension of the Department in the event of the possible discovery of gold, of a large influx of adventurers, chiefly from the United States, who might be disposed to the assertion of their political independence, and whose presence would necessitate the control of a strong Government. (Hear, hear.) Hear, hear, indeed, but the strong Government necessary was that of England, not of Canada. A letter from the Secretary of State of the 23rd of August, states that the Hudson's Bay difficulty had become so urgent, that no time should be lost in finding its solution. When Western extension was originally proposed the people of Western Canada were told that the arts of peace were to be promoted, and the country filled with prosperous industry. The whisper was to-day of trouble, and of collision, and of military occupation. The extension was urged upon us now as an Imperial consideration, but our strength was unequal to Imperial burdens. If in the new phase of affairs England shrinks from the establishment of a Crown colony, is that not good reason why we should shrink? (Hear.) The extension of our system of canals was a subject upon which we were all agreed, yet the condition of our finances would not permit us to commence an undertaking of unquestioned utility, and of which we could estimate the cost and foresee the extent of responsibility, while at the same time we were invited to embark upon a scheme, the maximum of whose unascertained first cost was not to be compared with the expenses which its possible contingencies might occasion. We were required to make and to maintain a military road westward to carry Canadian troops hundreds of miles from their Canadian homes, for the maintenance in this outlying territory of the name, and fame, and honour of Great Britain. We were as yet satisfied to see our own country protected with British soldiers, but here we were asked to protect these new acquisitions with our own. The cost of any of the little wars in which we might involve ourselves, might be estimated from the Indian wars across the border, and from our own Abyssinian expedition, for which 2,000,000 pounds sterling had been already voted.

[Mr. Blake (Durham West)]

In the present state of our finances, and until the Intercolonial Railroad is ascertained, he would be unprepared to assent to an unknown expenditure. After gracefully complimenting the representatives of Nova Scotia the honourable member proceeded to refer to their assurances of using every effort to obtain a repeal of the Union, which we had been all along led to believe had been acceptable to the Nova Scotian people. Our first duty was to consolidate our present Dominion, and to make it what it is said not to be now, a union of hearts as well as of territories. While the cloud hangs over our eastern limits, we would show greater prudence in addressing ourselves to its dissipation than in entering upon a scheme of western extension. Were we, when told that our present territory was not contented to remain with us, to grasp at extensions? Upon the policy of the resolutions, he held no decided opinion, not having bestowed adequate attention upon them, but he held so strongly that it was right and proper that the country should have opportunity of expression upon them that if necessary, he was himself prepared to move an amendment.

**Hon. Mr. McDougall** said if he thought the views of his honourable friend from West Durham were those of any considerable portion of the people of Upper Canada, he would be prepared to advise his colleagues—he would be prepared himself—to withdraw these resolutions. That honourable gentleman came into this House as a member of the great Liberal Party of Upper Canada, and as such he had a right to speak; but when he took the course he had done on this question, he (Mr. McD.) in the name of that party—in the name of the people of Western Canada, both Liberal and Conservative—repudiated his sentiments. It had been said that there was danger in acquiring this territory; but it could have no such effect, for we did not by it relinquish one jot of our claims upon British protection, nor of the oft repeated assurance that the last man and the last dollar of Great Britain would be expended in our defence in case of foreign aggression. Mere political or partizan views had no part in determining the course of the Government on this question. They took the broad ground that it was necessary for our advancement as a nation to open this great territory for the benefit of immigration, and to open a road to the enterprise and industry of the people of the Dominion. The honourable member for Lambton had truly said that our public domain, eligible for settlement, was at present

confined to small patches; but here was a great country in the west—three or four thousand square miles of the finest soil in the world—offered to us, and it was our true policy to seize the offer, and strike off the incubus which had so long hung over that region in the shape of Hudson's Bay Company. There had never been such favourable terms offered with regard to this great question as those pointed to by these resolutions. When the territory became incorporated, it would be for us to say how fast or how slow we should proceed in its development. The Government had from first to last denied the claims of the Hudson's Bay Company. They (the Government) claimed the territory as a part of New France ceded to Great Britain. But this was a question which would come before the judicial tribunals of this country. With regard to Rupert's Land, whatever its value, he held that it would not be for the interest of this country to permit any power to exist between us and the North pole. A great deal had been said about the demands of the Hudson's Bay Company: and no doubt, when they saw that they could no longer bar the gates of the fertile valley of the Red River and Saskatchewan, they took steps, like every other monied incorporation, to make the most of their falling power. But they would get no more than the strict letter of the law would give them. The position of the unfortunate Indians had been wretched under the rule of the company, which never for a moment hesitated to sacrifice them to its trade; and the system pursued in the United States had led to border wars of greater or lesser magnitude. But the system which Canada had hitherto pursued had been very successful, and under that which was proposed for the Government of the territory, there need be no fear of disturbances. If any weight were to be given to the assertion that our water communication with the North-West must be through an American canal, the same logic must apply to a great portion of our frontier, in the proximity of which forts might be erected, whose guns would command our shipping. If such considerations were permitted to interrupt our progress, we might as well at once abandon Western Canada. In their diplomacy and Government in this country, it must be admitted that Downing Street made mistakes from a want of knowledge of our interests, but here the territory was offered to us to do as we please with. We could use our own judgment as to the manner in which we should deal with it; and how fast or how slow we should proceed in its

development. If the country were opened up the Government could sell the land for many times the sum it would cost to organize it and extinguish the claims of the Hudson's Bay Company. When the American Government were paying enormous sums for regions of ice, how much more would they give for this fertile tract, and thus even putting the question on such low grounds the acquisition of this region would be a splendid speculation. The honourable gentleman referred to the course pursued by the thirteen American colonies when they first became confederated. With debt hanging over their heads and an impoverished treasury, they were not afraid to move forward by the acquisition of new territory till they became one of the most prosperous and powerful peoples in the world. As now, with the blighting effects of the great war hanging over them, with an enormous debt and burdensome taxation, they did not hesitate in purchasing ever more ice fields, in their desire for expansion. If we did not expand we must contract. As a Canadian, and an Upper Canadian, he desired to see this country progress westward. When his honourable friend from West Durham saw we were moving too fast in this matter, he merely gave what was the best reason he could offer for voting against the resolutions. His honourable friend, the Minister of Militia, had been accused of opposing western extension, but the charge was unjust. That honourable gentleman was willing and desirous to see progress in that direction. He was not, of course, so deeply interested as gentlemen from Western Canada, but he gave it a generous and hearty support. The honourable gentleman went on to show that Confederation would be incomplete without the incorporation of the North-West, British Columbia, and Vancouver's Island. The question had been brought before the House as one of practical value, and there could not be a question that the people of Upper Canada were in favour of the measure. Whatever might be their opinion of the course of his honourable colleagues—whatever might be their opinion of his own conduct—he implored honourable gentlemen, and especially those from Western Canada, to stand fast by the views which they had so constantly expressed, and which the people of Upper Canada endorsed; and in the interests of their country stand up manfully for the principles contained in the resolutions before the House. During the delivery of his speech the

honourable gentleman was repeatedly applauded, and took his seat amid loud cheers from all parts of the House.

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

**After recess,**

**Mr. Blake** said he was glad he had aroused the mind of the Minister of Public Works to feel the importance of this great question—as he had now discussed the question with more zeal than he discussed it when he introduced it to the notice of the House. He did not arrogate to himself the right to speak for any party, but he spoke as an independent member of the House. He had told his constituents that until he saw the state of our income and expenditure, and how far the construction of the Intercolonial Railway would increase our debt, he would oppose any measure that would tend to add to our indebtedness. He did not think it should be made a party question. His honourable friend, the Minister of Public Works, had warned them not to be swayed by the considerations of party, and he had imputed to them low, petty or mean motives. He thought his honourable friend had better leave it to others who had a more consistent record to whom to impute these motives. His honourable friend had not answered this point, that so late as the 20th Nov. last, it was not the policy of the Government to carry these resolutions at the present session, and having now changed their policy, it was their duty to make some explanation to the House. He was not disposed to take the statement of the Government on trust; but, thought they had a right to demand an explanation from the Government. As no explanation had been given, he could find no reason for it than this: if this Government do not act in this matter, the British Government will be obliged to act, and erect that territory into a Crown Colony, or cede it to the United States. We would not be deprived of it by its being erected into a Crown Colony. Therefore, this haste must be to prevent its being ceded to a foreign power. If Great Britain in consequence of difficulties is prepared to cede away this territory to some foreign power can there be a stronger argument for our not taking up that which Great Britain is unable to bear? His honourable friend had pointed out that his arguments on the question of defence were futile because we would still have Great Britain at our back. There was no doubt that in time of need we would have help from Great Britain;

[Mr. Blake (Durham West)]

yet it is incumbent upon us to provide for our defence to the extent of our means, and if we assumed control of this territory we would have to do something to put it in such a state that law or order would be carried out. He quoted from a report made by Gen. Michel to prove the difficulty of defending that territory and to show that without a military road to Fort Garry it would prove a source of weakness instead of a source of strength, either to Great Britain or Canada.

**Mr. Jones (Halifax)** thought the question had been considered too much with reference to old Canadian politics. The question was comparatively a new one to representatives from the Maritime Provinces. He thought, in view of difficulties arising from opposition to Confederation in Nova Scotia and a large portion of New Brunswick, the Government should have delayed bringing down these resolutions until the Dominion became more consolidated and they were better prepared to assume the expense and responsibility of more extended territory. However, if the resolutions were passed, and he supposed they would be, he had sufficient confidence in the integrity, ability and judgment of the gentlemen who administer the affairs of the country, to believe that they would negotiate for the best arrangement that could be made for the interests of the Dominion at large. The honourable member for Saint John had argued in favour of opening up the territory, as the people of that territory were in need of a Government such as ours; but that gentleman should remember that charity should begin at home. The Government should seek to remove the objections of the people of Nova Scotia and New Brunswick to the Union, and consolidate the present territory before going further. Large numbers of young men were annually leaving Nova Scotia and New Brunswick for the United States. This evil demanded attention. What with finances, defence, tariff, assimilation of currency, laws, and other important measures. Government had enough to do at present, without meddling with the Red River Settlement. When Confederation was first talked of in Nova Scotia, an estimate was made of the expense; but the expense connected with the opening up of the territory was not considered in that estimate. Already this estimate had been exceeded and he thought there was too much haste in entering upon this question and incurring additional expense. At any rate, the financial statement of the country should first have been brought down, and then we could



have been in a better position to judge of our ability to undertake this work which will require a large expenditure of money. He would only ask the Government to "hasten slowly," to take time and deliberate on this great question. In reference to his position to the Government, he would neither support nor oppose them, but would support such measures as in his judgment were for the best interests of the Dominion at large. (Hear, hear). For the reason he had stated, and for others, he would feel it his duty to oppose the resolutions.

**Mr. Cartwright** believed that this measure would open up a great source of national benefit. We wanted land for immigrants at present. We had no wild lands to offer to immigrants, and the result was that a great portion of them went through to the United States, but by the acquisition of this territory we would have a home for thousands of immigrants who would be settling and opening up the country, and be in time a source of considerable revenue to the country. They had been told of an exodus of people from New Brunswick and Nova Scotia to the United States. This was a strong argument in favour of opening up this territory. He would strongly support the resolution.

**Mr. Tremblay** briefly addressed the House, expressing his intention of voting against the resolutions.

**Mr. Killam** followed, in so low a tone that he was not heard in the gallery.

**Hon. Jos. Howe**, regretting that the last speaker had not been more audible, begged the house to regard his opinions rather in the light of his works, than what they could have heard of his words, as those of a representative man of Nova Scotia, the largest shipowner of the whole Dominion. For himself he could never enter a shipyard where a thousand ton vessel stood ready to be launched without feeling of how little value and importance had been any act of his life compared with the toil that it was necessary to have expended before the British flag could be hoisted at her masthead. He had no wish to delay the business of the House, being most anxious to be able to leave for home on Saturday, and therefore, although scarcely prepared, would address himself to the question at that hour. The Hon. Minister of Militia had quoted him as stating that this North-Western extension would cost the country only to the five or six millions. His statement was that it should cost only five or

six millions. The stock of the Hudson's Bay Company was worth last year in London only one million sterling, but when it had been known that Canada was about to bite for their territory, their stock had been watered. When he said watered, he meant that a transaction had taken place in the metropolis fraudulent to the whole country. A meeting was held of four or five knowing ones, who thought that they had some influence in Canada, and perhaps they had, and who, in conjunction with the Company, formed themselves into a financial association to put the Company's stock into the market at a value of two millions sterling, and by whom in less than a fortnight the people of England were cheated, or were attempted to be cheated, out of the difference. The four or five knowing ones said Canada wants this property, and we can get two millions out of Canada. Now two millions sterling were ten millions of dollars, and that was the price we should be called upon to pay. They might do it if they liked—what odds was it to him—his country was ruined, (oh, oh,) her credit was ruined. His honourable friend (Mr. Jones) on leaving Halifax had left an order on the Treasury for \$800, and that order was not paid yet. In the whole history of Nova Scotia when was her credit damned until now? At a moment when our stocks were discredited and disgraced, we were asked to vote two millions sterling to a knot of financial schemers for a country, God knew where, and bounded by God knew what. (Laughter.) A pamphlet of Mr. Joseph Neilson, which he held in his hand, disclosed the history of the whole transaction. The Hon. Minister of Militia had declared upon his honour that the Hudson Bay Company had no right to a large portion of this territory, and which was really the property of ourselves. If this were the case he called upon the Hon. Minister to raise the *posse comitatus*, (laughter) and to go in and take possession of what belonged to us, and for which, if it did so belong, he would rather shed his blood than pay Canadian money. Let the Hon. Minister raise a body of young men to go in and occupy this territory of ours, and if any one obstructs them we would ask the reason why. The moment this House decided that it was ours, and that we meant to take it—that moment the Stock of the Hudson Bay Company would go back to where it was before it had been watered. He had only one wish in his heart—let him go home next week and he would vote for anything. (Much laughter.) But he could not see London speculators laughing at the poor French

Canadians, the ignorant Bluenoses, and the penniless West Canadians, (laughter) and he appealed to them not to let the understanding of the country sink into contempt in the derision of our simplicity. Could anyone with the report of Gen. Michel in his hand honestly ask them to take possession of this impracticable country? They were told what the U.S. had done—how they had bought up everything in their way and gone ahead at a tremendous rate, but the United States had a population of six millions before they had purchased a single acre. (An honourable member—we have four millions.) True, we had four millions, but not a compact population like that of the old American Colonies, but scattered over the deuce of a line of straggling country. (Laughter.) When he saw a small sturdy man, muscular, broad shouldered, and well knit, like the breed of horses called in England a Suffolk Punch, he had respect for his physical powers, but when he saw a long fellow, seven feet high, (laughter) narrow-chested, and ill-jointed, he knew that if he were to take him in hand he could pitch him over his shoulder in half a minute. (Laughter) The U.S. had been of the Suffolk Punch type, and yet, led by the foremost men who had ever appeared on this continent, they had waited for a population of six millions! It had been said that he undervalued the country, but when on the other side he had heard it depreciated, he had stepped forward in its defence, and would do so still. But the men of the country would defend themselves, and, if the men did not, the women would. (Laughter and cheers.) We should, however, undertake only what we could do, and not attempt enterprizes beyond our strength. The territories purchased by the United States lay close by no enterprising neighbour. We were asked to buy a country, every road of which was dominated by another Power—wealth and trade on one side—poverty and desolation on the other. If the honourable gentlemen opposite wanted to strengthen the Ministry, let them say so frankly, and, rather than this, he would go over and help them. (Much laughter.) We had the Imperial Government pressing the Governor-General pressing the Ministry, the Ministry pressing the House. The Hudson Bay Company's property was being offered as at auction with a cry of Going! Going! but let honourable gentlemen trust themselves to the manliness and good feeling of the Legislature, and when it is found that we are not ready to bite so quickly there will be a change of tone. It would not cost one-fiftieth part of the

[Mr. Howe (Hants)]

money to sent our young men in, and let us see who will stop them. With trade made free, what becomes of the Hudson Bay Company? Their watered stock would sink to its true value, and this Dominion of yours—I had almost said of ours (loud cheers)—remain undishonoured by a bad bargain. When the United States annexed Texas her population was eighteen millions. When she annexed California and Northern Mexico—districts outlying as is this from ourselves—her population was twenty-four millions. The speculation which was wise and just in a man worth twenty-four millions would be madness in a man not worth a tenth of the money. We should make things straight and sound at home, before we began to extend ourselves abroad. We were asked to imitate United States precedent, but what would be said to the man who proposed to the United States the purchase of a territory unapproachable by sea, and every high road to which was dominated by another power? Did anyone ever hear of any country in the world, such as Canada, with a territory so vast, and a population so scanty, proposing to purchase extension? How was it that Rome had become the mistress of the world? By stretching herself out in this ridiculous fashion? No! She grew no faster than her cultivation. We were asked to grow like Jonah's gourd, to grow up in a night, and to wither in a night by and by in shame and desolation. How had our own little England made her progress? The population of England had been double ours before she opened her first colony of Barbadoes. When she planted her standard in the first of her great eastern colonies of Australia, her population was twenty-four millions. It was folly trying to make the world accept a counterfeit as sterling gold. Was there no waste land here—were gentlemen from New Brunswick so anxious to send away population, and leave their own country unsettled? Was ever Englishman, or Roman, or Greek, guilty of such madness? The natural outlet of the territory, if settled, would be the Pacific, and were we to legislate against the laws of nature? From Nova Scotia to Sarnia was 1,500 miles, from Sarnia to Fort Garry 800 miles, while from Fort Garry to Vancouver's Island was about 1,000 miles more. Were we to divert the commerce, which would flow, if at all, over the shorter course Westward, 2,300 miles in our direction? He put the question to the Hon. Minister of Militia, whom he was glad to see asleep (laughter.) He only wished that he would sleep for the rest of the session (much

laughter.) It reminded him, when he viewed those slumbers of a certain worthy deacon who, during his own Minister's sermons slept constantly, but was always wide awake, when a stranger happened to occupy the pulpit. Hurt by the contrast the Minister took him to task, and asked him why he made such a distinction, when the deacon explained that he did so, because he knew that he could safely trust him, though he must be watchful of a stranger (laughter.) His position was converse. He could trust the Hon. Minister, asleep, but not in his waking hours. He forgave the honourable member for South Lanark (Mr. Morris) his attack of last night, in consideration for the splendid burst of manly indignation, it had elicited from his friend, (Mr. Huntington), to whose eloquence he paid a high tribute. His heart warmed to the name of Huntington, as that of one of the noblest men Nova Scotia had ever known, to whom, on his death, the Legislature had raised a monument, but he hoped that it would be long before a monument were raised to his friend (laughter,) who, if ever he should want a constituency, had only to set foot in Nova Scotia (renewed laughter.) The honourable member (Mr. Morris) had spoken of himself as his (Mr. Howe's) disciple, but he knew what he would have done had he been at an earlier age his pupil—he would have picked a twig off a birch tree, and applied it to a particular part of him. (Loud laughter.) He would put his printed speeches upon the organization of the Empire into the hands of any three members, and if, on reading them, they gave the verdict that they did not sustain the views he now held, he would be contented with Union. Reference had been made frequently to Professor Goldwin Smith, with whom he was not here to express his agreement, but his school was largely increasing, and becoming a power in England. The honourable member, glancing also at the influence of Mr. Bright in passing the Reform Bill, went on to speak of the ignorance of Canadian affairs displayed by authorities at home, to whose enquiry, at the time of the TRENT affair, as to whether the transportation of the Guards from Halifax were possible, he had promised that, if necessary, they would be driven over by the Halifax Tandem Club, and, while paying a compliment to the ability of H.R.H., Commanding-in-Chief, declined to take him as an authority upon American topography. He depreciated the tendency to universal travel in these days of locomotion, when everybody went abroad, and nobody stayed at home. He had not

observed that it improved young Nova Scotians to rub off the honest simplicity of their homes, nor had he noticed that the Nova Scotian girls, who returned from foreign excursions with parasols and jewellery, were greatly the better in health or virtue. He had, himself, travelled a good deal, but he had known no country superior to his own, where he, who had worked for more hours in 365 days than would be possible perhaps elsewhere, could sit down under his own oak or maple with no man to make him afraid. Referring to the attack of the honourable member for Northumberland, which he dared say he had not lost greatly, by not hearing (laughter) he compared him to the sixty feet tide flow of the Bay of Fundy, which makes a great noise, and is called a "bore". (Laughter.) As the tide rises nearly every day and nearly every night, people become accustomed to the bore and do not mind it. (Continued laughter.) He then, after complimentary reference to the speech of Mr. Simpson, who had amused him by the information he had given of the Hudson Bay Company's determination to establish the Church of England, he asked were we to be called upon to pay the debts of mother country? Suppose his old father was to be extravagant and die, was it necessary that he should pay his debts? And here was our old father, who ain't dead, but alive and kicking, and were we to pay his debts? He would say to such a proposal, "Look here, old fellow, this won't do, you are bringing the whole family to disgrace." The establishment of a moral power had been spoken of, but he wished that somebody would establish a moral power over the rulers of the country, the honourable gentleman had said that love of country might be seriously affected by taxation, and the leader of one of the Local Governments had given the warning to his people to prepare for an income tax. The high taxation in the United States now expelled any feeling of admiration for that country among our population; but by and bye, when we by pursuing such schemes as this, which would add vastly to our expenses, had brought our taxation up to theirs the feeling would change, and there would be many who would long for a connection with that country. The late distractions of the United States had arisen because their country was too large. The illustrious States of ancient times were not large. Rome and Greece laid the foundations of their greatness by their concentrating forces at first, and not scattering them abroad. When his honourable friend the Minister of Public Works had

made the country which we at present possessed all that it was capable of being made, it would be time for this country to talk of colonization and conquest, and other grand ideas. The honourable gentleman sat down amid applause.

**Hon. Mr. Tilley** said he had never listened with greater pain to any speech than to the one just delivered by the member for Hants, not because he (Mr. Howe) had changed his views, but because his statements were calculated to damage our position in the eyes of the world. (Hear, hear). Then he speaks of this country being indefensible, that it is utterly impossible to defend us. It cannot but produce a powerful and injurious effect upon our position with reference to the United States. He (Mr. Tilley) referred to the occasion when he and Mr. Howe were in England together, the time of the TRENT affair. The Minister of War sent for them to confer on the situation. He would ask the honourable member for Hants if he did not with his own hand draft a document which Mr. Van-koughnet and himself (Mr. Tilley) gladly signed and submitted to the Foreign Office, stating that if the Intercolonial Railroad was constructed and backed by British power, we would be able to defend ourselves against all aggression? (Applause). With reference to the Hudson's Bay Company, he asserted if these resolutions should pass and legal claims of that Company were left to the Courts, their stock would soon be not two millions, but less than one. This question had been thoroughly discussed in New Brunswick during the last election, and they decided for Union on the understanding that the North-West would be brought into the Union. On the hustings he had stated that in his judgment three years would not pass before this Dominion would embrace the whole of the territory from the Atlantic to the Pacific. The financial statement would be made to-morrow, and he believed it would be found that the finances were not in such a bad state as some honourable gentlemen imagined. He believed the majority of the people in New Brunswick would support these resolutions, because they deemed them absolutely necessary to make Confederation what they had desired and expected to become when they voted for it. Talk about expenditures. Thirty-five million acres of arable land in this territory, if opened up for settlement, would, being at a mere trifle per acre, repay all expenditure. This revenue would go, not to the treasury of Ontario, but to the treasury of the Dominion. He would not enter into the merits of the

[Mr. Howe (Hants)]

question at any length to-night, but he thought it necessary to offer a few remarks in answer to the member for Hants.

**Hon. Mr. Smith** in reply, agreed that the Minister of Customs did not correctly state the opinion of the people of New Brunswick when he represented them as in favour of acquiring this territory at any cost to the Dominion. While the question of Confederation was pending there, it was said that no steps would be taken in this matter until the state of the finances permitted, and yet before any attempt was made to show our condition, these resolutions were suddenly introduced and Parliament was asked to commit itself to a scheme which might involve an expenditure of millions. He (Mr. Smith) believed this action would stir up and stimulate opposition to the Union in New Brunswick. Nine-tenths of the people, notwithstanding the assertions of the Minister of Customs, were opposed to any movement at present in favour of acquiring this territory. He implored the Government, if it desired to avoid the creation of bad feeling in the Maritime Provinces, if it desired to establish the Union on a firm and stable foundation, not to force this measure through the House now, but at least to postpone it until it could be fully discussed and considered by the people of the Dominion.

**Hon. Mr. Howe** again spoke briefly in reply to some personal observations made by the Minister of Justice.

**Hon. Mr. Fisher** addressed the House in favour of the resolutions, contending that the acquisition of the North-West Territory had been approved by the people of New Brunswick, who looked upon it, together with the enlargement of the canals, as justly due to the West in connection with the construction of the Intercolonial Railway, for the benefit chiefly of the Eastern Provinces.

**Mr. Anglin** was opposed to the resolutions, and that this was not a proper time to bring them forward. If they sent an address to Her Majesty, founded on these resolutions, the Imperial Government would issue a proclamation, and by virtue of that proclamation, that territory would be annexed to us with all its liabilities. Then the claims of the Hudson's Bay Company would be settled by mutual agreement of judicial decision. This would put it entirely out of the power of this Parliament to legislate upon this subject. The resolutions should be so modified that we

would know exactly what powers we were giving the Government, and they would know what powers they received.

The remaining resolutions were then adopted, with the understanding that further debate might take place on the question of concurrence on Monday.

On motion of **Mr. McDougall**, the sixth clause, referring to the agreement with the Hudson's Bay Company, was amended by the addition of the following words:—"Such agreement to have no effect or validity until first sanctioned by the Parliament of Canada."

The House adjourned at a quarter past 2 o'clock till Saturday at 2 p.m.

#### NOTICES OF MOTION

**Mr. Drew**—Amendment to the Bill to render valid certain appointments by the London Board of Trade, providing that no suits now

pending relative to said appointments shall be interfered with thereby.

**Dr. Tupper**—That the return relative to election expenses be referred to the Finance Minister, with a view of bringing under the notice of the Government the fact that in Nova Scotia these are mainly paid by the candidates, while in the other Provinces they are charged on the Treasury of the Dominion.

**Mr. Harrison**—Inquiry whether Ministers will place in the estimates an appropriation for erecting a new Post Office in Toronto.

**Mr. Harrison**—Address for the report of Col. Woolsely as to the camp at Thorold, in the Fall of 1866.

**Mr. Harrison**—That the petition of John Gooch, asking the House to subscribe for a certain number of copies of his work, entitled "Manual of the Constitution of the Dominion of Canada", be referred to the Library Committee.

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## HOUSE OF COMMONS

**Saturday, December 7, 1867**

The Speaker took the Chair at 3 o'clock.

The General Committee on Elections reported that they had fixed the following days for choosing Select Election Committee:—Kamouraska, Wednesday, 18th December Yamaska, Thursday, 26th December.

### ESTIMATES

A message was brought down from His Excellency, transmitting estimates of the sums required for services not otherwise provided for, for the nine months ending 31st March, 1868, amounting to \$5,264,239.

On motion of Hon. Mr. Rose, the message and accompanying estimates were referred to the Committee on Supply.

### THE FINANCIAL STATEMENT

The Hon. Mr. Rose then moved that the House resolve itself into Committee of Supply, and in doing so made his financial statement as Minister of Finance. In rising to lay before the House a statement of the financial condition of the Dominion, he asked the forbearance of gentlemen on both sides. In order that they might understand more clearly the statement he was about to make, he would refer to the order in which he proposed to present them:—First, account of Canada proper—Ontario and Quebec—for the year ending 30th June, 1866, and accounts ending 30th June, 1867; secondly, obligations of the Dominion assumed on the 1st July last; thirdly, the financial condition of the Dominion on the 30th November last; and lastly, statement of income and expenditure from 1st July last till 30th June next. The public accounts for the year ending 30th June, 1866, were already in the hands of members; but the accounts for the year ending 30th June 1867, were not in a sufficient state of forwardness to be distributed—but he would see to it that they would be forwarded to members during the recess. For the year ending 30th June, 1866, the income and expenditure of Canada proper was as follows: Total receipts from all sources, \$12,672,880. There were, however, debentures sold that year amounting to \$400,

leaving the receipts on ordinary accounts, \$12,672,480. The expenditure for the same period was \$12,418,105, but of this sum \$335,979 was for the redemption of the public debt, leaving for ordinary expenditure for that year \$12,082,126, showing surplus on 1st July, 1866, of \$590,354. It was to be remembered, too, that several large items of expenditure for that year are of an exceptional character and would not likely occur again. For the year ending 30th June, 1867, the total receipts \$16,400,139, and the total expenditure \$14,729,090, leaving an apparent surplus of \$1,671,049—these receipts include \$3,986,900 as receipts for debentures issued that year; and the expenditures include \$1,813,117 redemption of public debt—so that the normal receipts for that year were \$12,412,239 and the normal expenditure \$12,915,973, leaving an apparent deficit of \$503,733. This expenditure also includes a large amount for exceptional accounts. The Militia expenditure, which began on the previous year had, to a certain extent, to be continued this year to the amount of \$1,412,932; also on public works which would not be likely to occur again. For instance, the Parliament Buildings, \$466,382; the dues refunded in consequence of the new tariff of last session amounting to \$270,427. These items were of exceptional character, and might fairly be deducted from the ordinary expenditure of that year. He would next enter upon a statement of the finances of the Dominion since 1st July last. The House was aware that the Dominion, in assuming the revenue of the various Provinces, also assumed their liabilities. It was stipulated in the Union Act that the debt assumed by the Dominion was, for Ontario and Quebec, sixty-two and one-half millions; for Nova Scotia six millions; and for New Brunswick seven millions; it was further provided that the Dominion should pay interest on these three amounts. In addition to all these amounts, the Dominion has to pay eighty cents per head of population of the several Provinces at the time of Union; and a further sum to Ontario of \$80,000; to Quebec, \$70,000; to Nova Scotia, \$60,000; and to New Brunswick \$50,000. New Brunswick also received in addition to these sums an additional sum of \$53,000, for the consideration men-

tioned in the Union Act. The Dominion also has to pay the salaries of all the officers of the Dominion, in the different Provinces. He mentioned these facts that the House might correctly understand the various items of outlay for which it was a duty to ask a vote from them. He would not proceed with his financial statement of the Dominion since its existence. Honourable gentlemen would remember that the several items of revenue which were placed to the Dominion account would, when the machinery of the Local Government should be set in working order, revert to them—such for instance as the receipts from Crown Lands, which this year appeared in the Dominion account. The total amount received from all sources throughout the Dominion from 1st July last to 30th November, is \$7,427,615; the expenditure during the same period, \$5,323,085; leaving the apparent surplus of \$2,104,530. Statement B of the printed document in members' hands showed in detail the receipts and expenditures in Canada proper—Ontario and Quebec. The receipts are \$5,922,756; expenditure, \$2,950,592. In Nova Scotia the receipts are \$769,689; the expenditure, \$550,414. The subsidy to the same Province is \$317,449. In addition to which expenditure the January interest amounting to \$102,051 had been provided for in London; and drafts were met by Barings on account of the Pictou Railroad for \$149,377, both coming to \$242,428, making altogether \$1,102,930. The excess of payment to Nova Scotia over receipts, \$340,002. (Hear, hear). The receipts from New Brunswick are \$491,276; expenditure, \$471,966; leaving apparent surplus of \$19,330; to which, however, has been added balance of cash on hand 1st July last amounting to \$275,542, showing a total amount of receipts in excess of expenditure of \$294,872. Since that period there has been paid on interest on a certain amount, and some provincial bonds have been redeemed, amounting in all to \$304,605, showing an excess of expenditure over receipts of \$9,733.

The local revenue of Ontario since 1st July last amounts to \$136,597; the subsidy paid to that Province is \$488,960, leaving a difference of \$352,302 on 30th of November last. The local revenue of Quebec is \$107,276; the subsidy to that Province is \$397,499, leaving a difference of \$290,233. He had thus given briefly a statement of the accounts between the Dominion and the various Provinces, from the 1st July up to the 30th November last.

[Mr. Rose (Huntingdon)]

**Hon. Mr. Holton** asked information of the item arrears in the accounts with the various Provinces.

**Hon. Mr. Rose** said that, in Nova Scotia and New Brunswick, there were necessarily, at the date of Union, very considerable sums due to these Provinces not then collected, and others which had been voted by their Legislatures, not then paid. These belonged to the previous year's transactions, but necessarily came into the accounts of the Dominion. The Dominion having taken possession of all the revenues of the Lower Provinces, necessarily had to make good the sums voted by the Legislatures of these Provinces which related to the service of the year anterior to Union. When the accounts came to be correctly balanced, there would be no difficulty in ascertaining what belonged to each Province.

**Hon. Mr. Holton** said he had referred more particularly to the item of arrears, with reference to the old Province of Canada.

**Hon. Mr. Rose** explained that the sum referred to, \$1,045,000, consisted of warrants unpaid at 30th June, on account of the expenditure of the previous year. He would now come to state what was the actual condition of our engagements at the present moment—in other words—the amounts of the floating debt of the Dominion, and the course he proposed to take in dealing with the floating debt. The floating debt represented the accumulation of a good many years. The statement he would now submit was made up to 31st October last. There were due to the fiscal agents in England, on Canada account—that is, on account of what was now Ontario and Quebec—\$2,404,115; due to the fiscal agents of Nova Scotia \$134,740; due to the fiscal agents of New Brunswick \$263,980—making a total sum due to the fiscal agents in England of \$3,980,835. There were due in Canada, principally to the Bank of Montreal, \$2,575,000, and a further sum on the redemption of circulation of \$346,066, from which however were to be deducted bonds the province would receive on paying that amount, amounting to \$196,989, leaving \$149,086 to be added to the sum he had previously mentioned making as the total due to the Bank of Montreal, \$2,724,086. There had also to be provided on account of the sinking fund—which was properly charged to revenue, but which had found its way into the accounts



of the fiscal agents—a further sum of \$206,980, making the total floating debt of the Dominion on the 31st October last \$6,911,901.

**Mr. Cartwright**—Is that exclusive of Provincial Notes and Debentures?

**Mr. Rose**—Yes. He would now state to the House the mode which Government proposed to deal with the floating debt. In the first place, there were certain assets of the Government of Canada which ought to be realized in order to go in liquidation of that debt. There were 220,000 pounds sterling bonds of the Province of Nova Scotia now in the hands of the fiscal agents in England. That one item represented about a million of dollars. There were due to the Dominion of Canada certain sums by various corporations, institutions, and municipalities, which, if all collected, would reduce in a very considerable degree the amount of floating debt. He did not presume it was possible with due regard to existing interests to force unduly or harshly the payment of these large sums, but a very considerable portion of them he was satisfied might be made available within a not very remote period.

**Hon. Mr. Holton** asked if the honourable gentleman would mention the nature of these assets.

**Hon. Mr. Rose** said the Great Western Railway was due a large sum, and several other corporations, etc., were due considerable sums.

**Hon. Mr. Holton** asked whether he included the liabilities of municipalities under the Municipal Loan Fund Act.

**Hon. Mr. Rose** said he did not allude to these.

**Hon. Mr. J. S. Macdonald**—You refer to the Great Western and Northern liabilities.

**Hon. Mr. Rose**—Yes.

**Mr. Mackenzie**—They will give you nearly the whole amount.

**Hon. Mr. Holton**—And there is the liability of the Bank of Upper Canada.

**Hon. Mr. Rose**—Possibly. He would now go on to state what further provision he proposed to make for meeting this floating debt; and he would at once state that he did not propose doing anything which would interfere with the commercial and banking institutions of the country. (Hear, hear). He did

not think it would be wise to attempt to deplete the deposits which were in the banks by obtaining from them a loan to Government of the very considerable sum which he had mentioned as now due on the floating debt. He certainly much preferred a domestic to a foreign loan. (Hear, hear). It gave people a greater interest in the stability of our institutions, and after allowance was made for commissions, exchange, etc., a domestic loan at a higher rate of interest was probably cheaper than a foreign loan at a lower rate; but as he had said, he thought it would be unwise to attempt at once and hastily to absorb the floating debt by means of a loan. A large amount of money now invested in mortgages and other securities would gradually come in if Provincial debentures were issued; but if debentures were issued to the amount that would be necessary to wipe out the floating debt, the Government would necessarily come into competition with the banks for money now deposited in them, and this would compel the banks to restrict the facilities they would otherwise afford to merchants for purchasing their Spring importations, which would be an unfortunate result that would react very injudiciously on the Customs revenue of succeeding months. But there were other very considerable sums in the country which individuals, trustees, and others would be glad to invest in Government securities, and he proposed to ask power to create a Dominion stock in which trustees and executors, corporations, Court of Chancery, and others entrusted with trust monies, might be able to make their investments. He believed that a very considerable proportion of our indebtedness might be gradually absorbed in that way. The Government proposed also to give facilities for the purchase of terminable annuities. The statistics of insurance companies showed that there was a considerable demand for that kind of annuity, and that many individuals would be glad to purchase annuities at a rate of interest something like six per cent, either on their own lives, or those of their children. A considerable sum might be made available to the Government in that way. There was a third source from which a considerable sum might be obtained—the extension of the principal of Savings Banks. If there was anything which the Government ought to encourage, if it could, it was habits of economy and thrift on the part of the population; and if there was any class of securities which ought to be put beyond the reach of possible contingencies, it was the savings of the poor. We found

that where Government had taken Savings Banks under their protection, the number of depositors and amounts per head in proportion to population were very much increased. In Ontario and Quebec the Savings Banks were generally branches of other Banks. In Nova Scotia and New Brunswick, where the savings deposited were guaranteed by Government, we found in proportion a much larger number of depositors and larger amount deposited than were deposited in ordinary ones. Post Office Savings Banks in Nova Scotia and New Brunswick amounted to \$1,411,804, representing 8,412 deposits. In Canada we have in our Savings Banks \$3,571,494, and the number of depositors was but 15,179, showing the deposits in those Provinces where Government facilities have been afforded to be \$2.30 per head, while in Canada they amounted to \$1.15. The number of depositors in Canada was 1 in 235, in Nova Scotia and New Brunswick 1 in 168.

**Mr. Blake** asked if the amount given included Building Societies.

**Hon. Mr. Rose** said it included the whole, except those which the Government had not heard of, being Savings Banks connected with Banks.

**Mr. Blake**—That is a very considerable item.

**Hon. Mr. Rose**—It appears in the monthly returns as among ordinary deposits. There was another means by which the Government thought that a considerable amount of money might be obtained and additional security be afforded the public. He referred to giving the same guarantee to those who insure their lives as were now given by the Life Insurance Companies. There were no less than 29 Life Insurance Companies doing considerable business, upon whose solvency the savings of many families for years were dependent, and these companies would no doubt willingly give the necessary guarantee. In England there was invested no less than \$45,438,000 in old and Post Office Savings Banks. There was still another way in which some part of the floating debt might be absorbed—by further circulation of Provincial notes. When the circulation was commenced, in September, 1866, it was about 19 per cent of the total bank circulation, and it had gradually run up to 28.23 per cent of the total circulation. There was but one more means, namely, the issue of exchequer bills with some provision in connection with silver. Inquiries were now being made, but it was premature at present to state details. A plan is being considered but

[Mr. Rose (Huntingdon)]

the information now being obtained led to the belief that this subject could be dealt with to the advantage of the Government and great relief of the country. (Hear, hear). He had now referred to six different ways by means of which the floating debt might gradually be absorbed, and he certainly felt that it was one of the first duties pressing on the Government to get rid of that amount of floating obligation. It was not fitting that credits intended to be only for temporary relief should be turned into permanent loans. (Hear, hear). Let us get rid of the floating debt, and there would be no fear that the ordinary revenues would meet the expenditure we might be called on to bear.

**Hon. Mr. Holton** asked whether the arrangements of the Government in respect to its credits were of such a character as would enable his honourable friend to raise money in proper time to meet the demands.

**Hon. Mr. Rose** said they would on the 1st December. Their matured loan with the Bank of Montreal for \$2,700,000 Government had arranged to renew up to 30th of June next. As to the amount due to the fiscal agents in England, he believed there would be no difficulty in obtaining an extension of time at the present rate of interest.

**Hon. Mr. Holton** asked what was paid now.

**Hon. Mr. Rose** thought 5 per cent. He had much pleasure in stating that after providing for the January interest, now in course of remittance, a very considerable sum would remain at the credit of the Government. He now came to the question of ways and means for the current year. In the position in which we found ourselves at present, having to provide for the wants of New Brunswick and Nova Scotia, it was extremely difficult to get a correct estimate of what the expenditure was likely to be; and he read the extract of a letter from Auditor-General Langton in support of this statement. He also called the attention of the House to the principle on which the estimates had been brought down. Government had arrived at the best conclusion they could as to the wants during the current year to the 30th June next. They then estimated the amount not provided of that sum. The amount estimated in his statements was for three-quarters of the year ending 31st March next, not provided for by some Act of Parliament. Government had felt that it would not be right to ask a general vote of credit for any longer period than till Parliament met next session; before which time

they hoped to be able to place in the possession of the House detailed estimates of all branches of the service; but it was impossible to do this till appropriations had been made. He would now state what our wants were likely to be. For a right understanding of this, it was necessary that he should mention that in the Maritime Provinces there were large amounts of works going on, contracted for previous to the date at which Dominion began. Some of these might be found to be mere local works, others would form part of those to be included in the property of the Dominion. The rate of progress of these works, it was quite impossible to form any accurate estimate of. Existing contracts were going on, and the Dominion was bound to meet the expenditure either out of capital account or ordinary expenditure, and should endeavour to distinguish between what he considered capital account and what was ordinary expenditure. The estimates of expenditure were as follows:—Interest on the public debt \$4,363,000; charges on management, including premium, discount and exchange \$150,000; sinking fund \$206,980; civil government, including salaries of judges in Lower Provinces \$324,926; administration of justice \$439,000; police, river, harbour and frontier \$55,000. Penitentiary and Rockwood Asylum \$176,500; legislation \$575,000; Observatories, Toronto and Quebec, \$7,200; geological survey, \$30,000, \$10,000 being added to the former grant, so that the Lower Provinces might have the benefit of the service of the able head survey. The next item for militia including marine and defensive expenditure, a large sum was on capital account, and would not have to be met in subsequent years, \$1,600,000. The ordinary expenditure was \$744,240 including Nova Scotia and New Brunswick. But there were other items which this year had to be met, for instance, \$150,000 for barrack accommodation. Stores purchased, \$200,000. These incidental items amount to \$543,490; and would not come into subsequent years; but he did not believe there was a man in the House who would grudge any sum necessary for the defence of their homes. (Hear, hear). Arts, agriculture, and statistics, \$12,000; immigration and quarantine, \$50,000; pensions, \$53,750; public works, buildings and railways on construction account in Canada, \$491,000; Nova Scotia, \$912,000; New Brunswick, \$522,500. Then the current expenditures on account of public works was, Canada, \$20,750; Nova Scotia, \$10,000; New Brunswick, \$5,000.

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**Mr. Mackenzie** asked if the old appropriations were all expended.

**Hon. Mr. Rose** said there was, by reference to the public accounts, upwards of three millions of old appropriations standing at the disposal of various departments. The course which he thought proper, in order that Parliament might every year have distinct control over the year's expenditure, was that at the end of the fiscal year sums over appropriations should be returned, and that there should be a new vote taken every year.

**Mr. Mackenzie**—That was the system in England, and was promised last year, and he expected to find a statement of unexpended sums in the accounts brought down.

**Hon. Mr. Rose** said that there was a statement showing an unexpended balance of three millions on hand. The Government estimated the expenditure for the year beginning July 1st, 1867, and ending 30th June, 1868, proposing to write off all existing appropriations and beginning with a clean sheet from 1st July last. The next item was provincial steamers, \$79,725, included in which were subsidies payable to Nova Scotia for steamers in that Province, \$4,725; next was light-houses, buoys, etc., \$246,000; then fisheries, \$40,000; marine hospital and distressed seamen, \$38,400; subsidy to ocean steamers, \$218,000, making a total of \$622,025. Then to be added to this was indemnity under Seigniorial Tenure Act, \$290,000, which would have perhaps, ultimately to be provided by Lower Canada, according to the result of the arbitration for the settlement of the debts of the two Provinces. Then there followed the items of culling timber, \$65,000; railway and steamboat inspection, \$90,000; Indian fund and annuities, \$181,000; miscellaneous, \$162,000; collection of revenue, which was divided between Customs and Excise, the former being \$643,000, and the latter \$140,000, making together \$783,000; post office, \$735,000; maintenance of public works, \$700,000. He would mention in connection with this item, that Government proposed to establish a different principle from that which had previously existed in regard to revenue of railways in New Brunswick, by making it necessary for the officers of those roads to return gross income instead of deducting working expenses and returning only net revenue. (Hear, hear). This was, no doubt, the true principle that all revenues should be paid in, the Government paying salaries and other costs of management. These minor revenues were

estimated at \$10,000. These items together made a total possible expenditure for the year of \$16,226,801, from which, however, was to be deducted \$1,925,000, for items which he had stated to the House properly belonged to construction or capital account, leaving the ordinary estimated expenditure of the year \$14,301,301. He would close this branch of his statement by saying that of this expenditure the items which the auditors according to the best information he had been able to get, found were not provided for by accounts of Parliament, amounted to \$7,019,039, three-fourths of which, \$5,264,279 was the amount mentioned in the message from His Excellency as necessary to be provided, to carry on the Government till 31st March. He then stated the probable revenue of the year. They estimated the

Revenue from Customs at .....	\$ 9,121,900
From Excise .....	3,000,000
Postage .....	569,000
Ocean Postage .....	50,000
Public Works, including light ....	837,000
Provincial Steamers .....	35,000
Ordnance lands .....	30,000
Casual and miscellaneous .....	30,000
Interest on investments .....	12,000
Premiums and discount .....	20,000
Bank Interests .....	18,000
Law fees .....	25,000
Fines and forfeitures .....	10,500
Bill stamps .....	100,000
Law Fee Fund, U.C. ....	40,000
Tonnage, duties, Quebec River Police .....	10,000
Tonnage duty, mariners' Fund ...	18,000
Passengers duty, immigration and quarantine .....	25,000
Railway and steamboat inspec ..	40,000
Fisheries .....	43,000
Cullers' fees .....	60,000
Penitentiary .....	50,000
Militia .....	20,000
Sundry special receipts .....	2,000
Copyright duties .....	4,000
Indian fund .....	100,000
Great Western Railway Int. A/C ..	50,000
Receipts from sales Public Works	65,000
Northern Railway Interest A/C ..	14,600
Consolidated Fund Investment Account .....	50,000
Montreal Harbour Commissioners	7,000

Making a total of .....\$14,457,400

[Mr. Rose (Huntingdon)]

The result of these details was this, that the ordinary estimated expenditure for the current year, up to 30th June next, was \$14,301,301; and the estimated revenue \$14,457,400—leaving a surplus of \$156,090.

**Hon. Mr. Holton** —But on the whole accounts of the year there will be a deficiency to be met in some way.

**Hon. Mr. Rose** denied that. They had to provide undoubtedly for the amount necessary to construct those railways in the Lower Provinces, but that amount might be found to be within the \$7,000,000 and \$8,000,000 to be assumed respectively by Nova Scotia and New Brunswick.

**Hon. Mr. Anglin** asked whether in estimating the amount to be paid to the Lower Provinces, the Finance Minister included the interest on existing debts.

**Hon. Mr. Rose** said he had. His honourable friend (Mr. Holton) had asked for the subsidies payable by the Government to the several Provinces. They amounted to \$2,797,446, from which, however, had to be deducted the interest payable by Ontario and Quebec on the capital of \$8,700,000, the estimated sum by which the debt of these two Provinces exceeded \$62,500,000, the debt with which they came into the Union. He hoped that the House would understand that in speaking of the items of permanent works it was not intended by that amount to increase the debt of the Dominion, for it might be, and he trusted it would be, within the debt with which these Provinces entered the Union. In the statement which he had thus endeavoured, as briefly as possible, to lay before the House, the sums dealt with were considerable, but the resources, means and energies of this country, were, he believed, ample to meet the demands upon them. He would state a few facts with reference to the progress of these Provinces during the last eight or ten years, which would illustrate their resources and capabilities. In Nova Scotia, in 1856, the revenue from Customs and Excise was \$377,270. In 1866 it had increased to \$1,231,902. (Hear, hear). The imports of the Province rose from \$8,349,160 in 1856 to \$14,381,008 in 1866, while the exports rose in the same time from \$6,864,790 to \$8,043,095, exclusive of ships sold. Then there had been an increase in shipping from \$4,594,000 in value in 1856 to \$13,749,000 in 1866. He was satisfied this evidence on the part of our elder sister would be regarded with great satisfaction by all the Western Provinces. He

also gave figures showing the increased productiveness of the coal and gold mines of that Province. Then coming to New Brunswick the progress had been equally gratifying. In 1856, the Customs duties realized \$596,994, and in 1866, \$1,186,751. The imports in the former year amounted to \$7,505,890, and in the latter to \$10,417,495; while the exports rose from \$5,366,755 to \$6,639,275, exclusive of vessels sold. Then the vessels owned in the Province increased from 133,669 tons in 1857 to 233,945 in 1866. In Canada, the imports in 1858 amounted to \$29,777,852, from which they rose to \$52,637,675 in 1866, showing an increase of 81½ per cent in nine years. (Hear, hear). In 1858, the exports amounted to \$23,472,609, from which they increased to \$53,930,789 in 1865 and 1866. In the last year, however, they were increased by consequence of the demand caused by the American war and by the threatened abrogation of the Reciprocity Treaty, so that for his comparison he would take the year 1866-'67 when the exports amounted to say \$45,570,109, an increase since 1858 of 94½ per cent, showing that the productive powers of the country were more than sufficient to meet its engagements abroad. (Hear, hear). The House would see that the large exports of 1865-'66 were owing to exceptional causes, and the decrease in 1866-'67 might at first glance seem unsatisfactory. In the former year, however, there was an unusual demand from the States for horned cattle, so that the falling off in 1866-'67 in this article of export alone amounted to \$3,121,343. In flour also there was a falling off of \$1,506,904 compared with 1866. In the exports of sheep, swine, beef, there was a falling off of \$325,000 compared with the previous year. This was a serious condition of affairs, but it was gratifying to know that though trade had fallen off with the United States, new channels of trade had sprung up with other countries, and that our total exports in 1863-'66 and '67, as compared with our exports of 1863-'64 and '65 showed an increase of upwards of \$5,000,000. Compare the present year with the ten preceeding years, and it would be seen that there was increase of 107 per cent. He would now refer to our Intercolonial trade. It was gratifying to know that commercial intercourse had increased among ourselves. The exports in 1863 to British North American colonies from Canada proper was to the amount of \$935,000; but it had increased in 1867 to \$3,480,000—almost double the amount of exports the year previous. The imports from the Lower Provinces are increasing enormously.

There were now three lines of steamers plying between the Lower Provinces and Montreal, coming up freighted with coal, etc., and carrying back flour. He concluded by referring to the difficulties to be met in coming down to details of the expenditure for the coming year, and he thought it would not be asking too much to ask the forbearance and assistance of this House to equalize our revenue and expenditure, and place the finances of the country upon a sound basis. In this he was quite sure he would receive from all sides of the House the hearty co-operation of every man who wished to see the prosperity of his country. (Applause).

**Hon. Mr. Holton** would take this opportunity to congratulate his honourable friend the Minister of Finance, upon the ability with which he had discharged his difficult duty. (Hear, hear). In order that they might have the opportunity of examining more closely the vast mass of figures the honourable gentleman had laid before the House, he thought they ought to be printed before the debate was proceeded with and they were asked to vote supply.

**Hon. Mr. Rose** was quite willing to postpone taking a vote of supply until his statements were printed and distributed.

**Hon. J. S. Macdonald** desired to call attention to a statement which might be misunderstood, namely, that the Local expenditure of Ontario was set down by his honourable friend at \$488,960. He wished it to be understood that the Local Government had not spent that amount. They had been living on short allowance for five months. (Laughter).

**Hon. Mr. Dorion** suggested that the House go into Committee of the Whole to-night, and they could go into committee again after the printed statements had been distributed. He would reserve the remarks he intended to make till then. He heartily concurred in the opinion of his friend (Mr. Holton) as to the manner in which the honourable gentleman had explained the financial condition of the country. His explanations were clear and concise.

**Hon. Mr. Howe** said he had listened with a great deal of pleasure to the elaborate statement of the Finance Minister. He had heard many Finance Ministers bring down their statements, but he had never heard a more clear and candid statement than the one they had listened to to-night. It was gratifying to him to hear from the statement that his own

Province was in so prosperous a condition. At the time of the passing of the Confederation Act, bonds of Nova Scotia in the hands of the financial agents in England stood in the money market two, if not three, per cent higher than those of Canada. They never had any trouble with their bonds. With regard to the future, he rather liked the announcement made by his honourable friend. If the country would not rush too fast into reckless expenditure, if the expenditure was kept within reasonable limits he believed its natural growth and prosperity would soon relieve us in a great measure from our floating debt. He trusted for the honour of the country it would be so, and if the honourable gentleman, while he holds his present position, comes down, as he has done to-day, concealing nothing but dealing candidly and fairly with the House, he would always receive that consideration without which no Finance Minister could well perform his duties.

**Hon. J. S. Macdonald** was happy to see that the policy had been accepted of raising the necessary funds among ourselves, and not been obliged to go to England to sell our debentures. He had supported the currency Act last session, and was glad to see that it

worked so well that we were relieved from the painful exhibition of attempting to raise money in England by a sale of our debentures.

**Mr. Young** would like to ask the Hon. Minister of Finance how he proposed to meet the deficiency he had just announced to exist.

**Hon. Mr. Rose** said the amount must be raised by increasing the debt.

The House then went into Committee of the Whole on the Supply Bill, and immediately after rose and reported progress.

In answer to **Mr. Holton**,

**Sir John A. Macdonald** said, that either the resolutions on the North-West, or the question of supplies, would be taken up first on Monday.

#### EDUCATION REPORT

**Hon. Mr. Langevin** presented the annual report for 1866, of the Superintendent of Education for Upper Canada.

The House then adjourned at 6 p.m. till Monday.

## HOUSE OF COMMONS

**Monday, December 9, 1867**

The Speaker took the Chair at 3 o'clock.

### CANADIAN STEAM NAVIGATION CO.

On motion of **Mr. Morris**, the House resolved itself into Committee of the Whole on the Bill to amend and consolidate the Acts relating to the Canadian Inland Steam Navigation Company. The Bill was reported to the House with some amendments which were concurred in, and the third reading was ordered for to-morrow.

### GRAND TRUNK BILL

On motion of **Mr. Shanly**, the Bill to amend the Grand Trunk Arrangements Act of 1862 was considered in Committee of the Whole.

In Committee.

**Hon. Mr. Holton** said there was a point connected with this Bill to which he desired to call the attention of the leader of the Government. The Bill empowered the Company to raise 500,000 pounds sterling of preference capital. Individually he had no objection to this; but it had the effect of further postponing the claim of the Province upon the work; and his impression was that such a Bill required the formal assent of the Crown.

**Sir J. A. Macdonald** said when the Arrangements Act of 1862 was passed, no such assent was asked.

**Hon. Mr. Holton**—The point was not then raised.

**Mr. Mackenzie** said in the Railway Committee he raised this point, and the Minister of Militia said the Government had given the consent.

**Sir J. A. Macdonald**—There is no doubt of that as a matter of fact. The only question is as to the formal character of the assent.

**Hon. Mr. Cartier** said the Act of 1862 postponed the claim of the Province, and yet there was no formal assent by message from His Excellency. The statement merely was

made then that there was no objection to it on the part of the Government. He considered that that part of the Union Act which referred to money grants did not apply here. But of course the proper time to raise the question was when the Speaker should be in the Chair.

**Hon. Mr. Holton** said if the point were raised at a future stage, and the objection decided to be valid, then this stage would have been lost.

**Mr. D. A. McDonald** thought the claim of the Province might as well be wiped out and given up at once. It was not worth one dollar.

**Sir J. A. Macdonald**—Quite right; it ought to be.

**Mr. Smith** thought the substance of what had satisfied the Railway Committee, as to the consent of the parties interested, should be given to the House.

**Hon. Mr. Howe** said the statement of **Mr. Brydges** which had been given as evidence before the Railway Committee was very satisfactory as to the large amount of interest which had been paid on the Company's securities for some years back, the clearing off of the floating debt, and the re-establishment of the Company's credit to Canada, and also as to the consent of a very large proportion of the bond and shareholders.

**Hon. Mr. Cartier** said the evidence given by **Mr. Brydges** had been reported by the Committee as part of the proceedings.

**Mr. Pope** thought a clause should be inserted, making it a condition of the Bill going into effect that it should first be sanctioned by a large proportion of those interested.

**Hon. Mr. Cartier** said, as regarded the Company, the passage of the Bill was a matter of urgency, and the assent of the stock and bondholders had been got at a meeting specially convened for the purpose before the Bill was introduced.

**Mr. McDonald (Glengarry)** said the statements made before the Railway Committee were more satisfactory than were ever made before, and the Bill had passed unanimously.

**Mr. Anglin** thought the House should, as a rule, be more strict in receiving such statements as that made before the Committee when unsupported by other evidence. In the present case he had ascertained, by reference to English papers, that the statements were correct, and he would not offer opposition now.

**Hon. Mr. Dunkin** expressed satisfaction with the statements made before the Committee.

The 5th clause was then adopted.

The remainder passed with little discussion and only verbal alteration, and the Bill being reported the third reading was ordered for to-morrow.

#### MARRIAGE LAW

In reply to **Mr. Keeler**,

**Sir John A. Macdonald** was understood to say that it was not the intention of the Government to introduce any measure to facilitate the dissolution of the marriage tie.

#### GRAND RIVER BRIDGE

In reply to **Mr. McCallum**, **Sir John A. Macdonald** said the question of tolls on the bridge across the Grand River at Sunville could not be considered till after the arbitration between the two Provinces.

#### QUEEN'S PRINTER

**Mr. Thompson (Haldimand)**, enquired whether it is the intention of the Government to continue the office of Queen's Printer, or to take steps to introduce a more economical system.

**Sir John A. Macdonald**—It is the intention of the Government to introduce the most economical system in the public printing, and whether that can best be done by continuing the office of Queen's Printer, or doing the work under contract, is under consideration.

#### TORONTO POST OFFICE

In reply to **Mr. Harrison**,

**Sir John A. Macdonald** said it was not the intention of the Government, during this portion of the session, to ask an appropriation for erecting a new Post Office in Toronto.

#### INDIAN MATTERS

**Mr. Thompson (Haldimand)** moved for a return of all moneys paid to the Indian Department by Superintendent Gilkison during the past four years; also the amount of dues for lumber and licenses fees collected from Indians and white people. Carried.

**Mr. Thompson (Haldimand)**, moved for a return of the Indian population, and the number of acres occupied and cultivated by Indians in Oneida and Tuscarora. Carried.

**Mr. Thompson** on the motion for moneys paid to Indian Department by Superintendent Gilkison, explained he had no doubt Gilkison's report was accurate, but some of the Indians of the Six Nations asked him to move for the return. On the motion for a return of the Indian population, etc., said he desired information as to the land occupied. He understood there were 3,000 Indians who had 50,000 acres of land in the township of Haldimand. The land was now being stripped of timber, and he hoped Government would take steps to bring it into market. He also took the opportunity of expressing the hope that the Government would remove the tolls from the Burlington Bay Canal.

**Hon. Mr. Langevin** said the return as moved for, would cost \$300, for which it was not fair to tax the Indians. Government had no information later than 1858, but if the member asked for an approximate estimate, he thought that could be furnished.

**Mr. Mackenzie** thought the Minister mistaken. If the Indians received payments semi-annually, according to law, they must estimate the population every six months.

**Hon. Mr. Langevin** said the information sought was as to the number of acres cleared.

The motion was amended and passed.

#### HUDSON'S BAY MAPS

**Mr. Morris** in moving for copies of two maps furnished to the Government of the late Province of Canada, by the Hudson's Bay Company said these would be of considerable value in the discussion on the North-West question, and might be furnished before the matter was brought to a conclusion.

**Mr. Blake** suggested that the originals be laid upon the table.



**Sir John A. Macdonald** was understood to say Government would see if this could be done to-morrow.

#### RONDEAU HARBOUR

**Mr. Stephenson** moved for copies of all Orders-in-Council and correspondence relating to the transfer of the Rondeau Harbour and public works therewith connected, etc. Carried.

#### PROSECUTION AGAINST INDIANS

**Dr. Bown** moved for a return of prosecutions against Indians, instituted in the County of Brant. Carried.

#### BANK OF UPPER CANADA

**Mr. Oliver** moved for returns with reference to the indebtedness of the Bank of Upper Canada to the Government. Carried.

#### ARTHUR HARVEY'S PETITION

**Mr. Chamberlin** moved to refer the petition of Arthur Harvey to the Library Committee. Carried.

#### HAMILTON AND PORT DOVER ROAD

**Mr. Lawson** moved an address for the Engineer's reports, etc., relative to the Hamilton & Port Dover Plank Road. Carried.

#### SEIGNORIAL INDEMNITY

**Mr. Tremblay** moved for returns with reference to the sums paid to the Lower Canada townships in compensation for the Seignorial Indemnity. Carried.

#### SAUGEEN

**Mr. Sproat** moved for a return of the lands purchased in the Saugeen Peninsula. Carried.

#### ENGRAVING GOVERNMENT NOTES

**Mr. Metcalfe** moved for correspondence between the Government and the American Bank Note Company from 1st January, 1864 to 1st July, 1867, on the subject of engraving notes for the use of the Government. Carried.

#### JOHN GOOCH'S PETITION

**Mr. Harrison** moved to refer the petition of John Gooch to the Library Committee.

#### THE CAMP AT THOROLD

**Mr. Harrison** moved for a copy of the report of Col. Wolesley, as to the camp at Thorold. Carried.

After the recess.

#### COUNTY COURT JUDGES

**Mr. Blake** moved for a statement respecting County Court Judges, etc. in Ontario. Carried.

#### IMMIGRATION

**Dr. Tupper** moved for correspondence between the Dominion and Local Governments relating to immigration. The subject of immigration was a commercial one to be dealt with by the Dominion and Local Governments. The Immigration Committee in order better to discharge their duties, desired Government to take the earliest opportunity of stating to the House the policy they intended to pursue with reference to this question.

**Sir John A. Macdonald** said he thought it would be found that the only correspondence between the Local and General Governments on this subject was merely of a formal character.

**Mr. Mackenzie** said one object in the motion was to call attention to this important subject, and he hoped they would devote considerable attention to it during the recess. The building of the Intercolonial Railway would open up a large field for immigration, as would also the opening up of the North-West.

**Hon. John S. Macdonald** said the history of immigration in this country plainly proved that it was only when public works were being built that immigration flowed into the country to any great extent, and gave several instances to establish this statement. He predicted a large influx of immigration during the building of the Intercolonial. The best way to induce immigration to the North-West was to build a canal or railway through that country. Motion carried.

#### TWO SITTINGS A DAY

**Sir John A. Macdonald** moved that there be two distinct sittings of the House every day during the remainder of the week—the first sitting from 3 to 6 o'clock, the second from 7:30 to the adjournment of the House.

**Hon. Mr. Holton** was very sorry to see such a motion brought up. It was utterly without precedent in English Parliamentary history. True, such a course had been adopted before in Canada, but he had hoped, now we were entering upon a new course, such injurious precedents would not be followed. The effect of this motion was simply to neutralize the law of Parliament, which required that every measure should pass through its different stages at different sittings. For the first four weeks of the session they had adjourned nearly every night at or before 6 o'clock. Now there was an accumulation of business, and important measures, involving the expenditure of millions, were to be rushed through without an opportunity of giving them that consideration which the rules of Parliament had been established to secure. He hoped his honourable friend would not persist in his motion. He was disposed to give a candid consideration to all the measures of the Government, but as an independent member he could not but protest against this infringement of his freedom by the destruction of old parliamentary practice.

**Sir John** said he had not the slightest desire to infringe upon any honourable gentleman's freedom. After this motion was passed they would have just as much freedom as before. Such practice was quite common towards the close of a session. Even the Government of which he (Mr. Holton) was a member had set such a precedent. His motion did not infringe upon any constitutional rule that he was aware of. He had proposed it at the desire, he believed, of a majority of members who desired to close the session as soon as possible; but if they wished, the Government were always there, and were willing to stay as long as members desired.

**Hon. Mr. Howe** said if he and his colleagues from Nova Scotia did not leave on Wednesday, they would have to stay a fortnight longer. If he thought there would be any attempt to rush important measures through, without due discussion and consideration, he would stay the additional fortnight to prevent it; but he thought no such attempt would be made. Parliament could always postpone the final passing of any measure as long as they thought necessary.

**Dr. Parker** said if Government had brought down their measure sooner there would have been no necessity for such haste now. They had felt the evil consequences of such motion before, when the Constitutions

of the Local Governments came up last session. He had several amendments to move, but the whole question was put through in one day, and he was prevented from moving his intended amendments. What right had the Government to call the House together before they were ready to bring down their measures? If the House would refuse to pass this motion—and he hoped they would—it would teach the Government to be ready with their measures when the House met.

Motion carried.

#### HENRY J. MORGAN'S PETITION

**Mr. Chamberlin** moved to refer the petition of Henry J. Morgan to the Joint Committee on Library. Carried.

#### NORTH-WEST TERRITORY

The Order of the Day being called for, concurrence in the resolutions respecting the North-West Territory, Mr. McDougall said he would move that the resolutions be not concurred in, but referred again to Committee of the Whole, in order to make certain amendments. It had been objected to the 6th resolution, that there was in it something incongruous; that it would have been difficult, if not impossible, to embrace in the Order-in-Council to be issued by Her Majesty. On reconsidering the matter, it became evident to the Government that what ought to be detailed in the address, was really contained in the first half of the resolution. It was, therefore, proposed to strike out the last part from the word "respected"—when the resolution would read:

That, in the event of the Imperial Government agreeing to transfer to Canada jurisdiction and control over this region, it would be expedient to provide that the rights of any corporation, company, or individual, within the same will be respected and placed under the protection of courts of competent jurisdiction.

The Government thought that, in the event of this great territory being transferred to Canada, we would respect the rights of all parties; and if the Imperial Government was asked to hand over the territory to us, we would receive it subject to any legal claims which British subjects might have upon it; and, inasmuch as the territory, when so handed over to us, would be without government and the protection of the law until established there by Canada, it would be proper for this Government to see that proper and competent Courts of Jurisdiction were established. The character of these courts,

their jurisdiction, and number was left to the direction of Parliament when the time came for dealing with the question. Then it was proposed by Government to add as the last resolution:

It is also resolved that in case any negotiations between the Canadian Government and the Hudson's Bay Company for the termination of the rights of the latter, entered into in accordance with the despatch of 18th June, 1865, from the then Secretary of State for the Colonies to His Excellency the Governor-General should result in any agreement between them, it is hereby declared that the same shall be submitted to and be sanctioned by the Parliament of Canada, before same shall have any effect whatever.

(Hear, hear.) He, (Mr. McDougall) thought these amendments would remove all difficulties that had arisen in the course of the debates, and the Address would then stand as embodying a proposition by the Parliament of this country to assume that territory, reserving and protecting all rights that might exist in regard to it, and assuming the protection of the Indians. These were the only conditions which Government thought it prudent or desirable the people of this country should assent to. Whether the Imperial Government would endeavour to impose additional terms in making the transfer of the territory Government knew nothing, and it would be time enough to deal with such conditions when they were asked. Motion carried.

The House then went into Committee, Mr. Stewart Campbell in the Chair.

The amendment to the sixth resolution being put,

**Hon. Mr. Holton** asked whether it was in contemplation of this resolution to establish courts in that country to have jurisdiction over the rights claimed by the Hudson's Bay Company.

**Sir John** replied it was not. The proposition was this:—Her Majesty, in her Imperial capacity as sovereign of Great Britain, was sovereign of this great territory of the North-West. It was proposed the House should address Her Majesty under the terms of the Union Act, and Her Majesty, by Order-in-Council, could transfer that sovereignty to the Government and Parliament of Canada, so that the Government of Canada would give that territory a Government and the Parliament of Canada would legislate for its welfare and good government. Of course, in order to carry out that object, Canada must establish courts for the protection of life, liberty, and property, and when his honourable friend (Mr. McDougall) introduced the

resolutions he thought it well, in consequence of remarks from the opposite side, to allude to the second branch of the sixth resolution, which really formed no part of what Canada asked from England, because it simply assumed certain duties after the transfer should be made. As to what the constitution of the territory would be that was a matter for future consideration. It was very probable we could not foresee what conditions the Home Government might attach to the grant, but whatever they might be they would have to be submitted for sanction to this Parliament. (Hear, hear). Her Majesty would, Sir John thought, on receiving this address, convey the sovereignty and right of governing to the Legislature of Canada, leaving it to the wisdom of the Parliament of Canada to settle the mode of government in that territory, which he presumed, speaking on first impression, and giving his own opinion—would be a provisional one, according to the wants of the country. Of course, it would be idle to give the country the same Government as in Canada, but representative institutions should be at once introduced, in order that the people might have a voice in their Government, and they should also have representation in the Parliament of the Dominion. He might say Government thought it well to make the proposition, offering to assume the sovereignty and power over this territory unclogged by any conditions whatever, and they believed the Parliament of Canada, acting through the Government, held the confidence of Her Majesty and her advisers so completely that they would readily trust this Parliament with any power it might ask, and should there be conditions imposed, they would of course be submitted for its sanction. (Hear, hear).

**Hon. Mr. Holton** said, as he understood it the main object of acquiring this territory at all was to open trade and establish Government. Now, he would like to ask his honourable friends whether so long as the claims of the Hudson's Bay Company were unliquidated, we could by the mere transfer of the sovereignty from the mother country obtain power to do that which the mother country had never authorized any party to do yet, and which the Hudson's Bay Co. denied any person had a right to do, to wit—trade with the people of that country, and acquire fee simple in the land. If the transfer would not give that power, then the honourable gentleman opposite, it struck him, failed to make out a case. It struck him, too, that what was in contemplation in the Union Act was, that

the address to Her Majesty should follow the negotiations, and that the address should set forth clearly and distinctly the terms on which we were prepared to unite that territory with Canada.

**Hon. Mr. Howe** said it appeared to him that the honourable gentlemen opposite were approaching this subject in rather a better spirit: and assuming they all had the same object in view, he suggested whether they might not go a step further. He had said from the first that he knew the value of this territory. He believed it capable of being made fit for the habitation, not only of thousands, but of millions of human beings. It would be a disgrace to leave it in the condition it was now in. The Hudson's Bay Company's privileges ought, at all events, to be limited, and their operations thrown back to frozen regions. That ought to be done by somebody; and, with no desire to embarrass Government, or obtain any party triumph, he would throw out a suggestion, that the Imperial Government be asked to form Rupert's Land and other portions of the territory into a Crown colony. If they did that, it would be a great blessing to civilization. In the meantime, if the young men of this country desired to settle there, let them do so, and he, for one, would be prepared to vote any reasonable sum of money for the purpose of opening up communication until, at fitting time, the territory might, perhaps, become more closely united with this country.

**Dr. Parker** wished to know whether they would be bound under this address to pay the claims of the Hudson's Bay Company.

**Sir J. A. Macdonald** said it was asserted in the 6th resolution that legal rights would be respected, but they avoided any arbitration with respect to those rights by placing them under the protection of the courts.

**Dr. Parker** understood it was the intention to create courts where these questions would be taken.

**Hon. Mr. Howe** wished to know how they proposed to raise a question between the Hudson's Bay Company and Canada.

**Sir J. A. Macdonald** said it was not necessary to admit the title of the Company. They asked the Imperial Government to transfer to them the right to legislate for this territory, and the rights of the company were ignored; but if they had any legal rights they would be respected. The charter granted by King

[Mr. Holton (Chateauguay)]

Charles II, covered but a small portion of country, and on the rest they were but trespassers. For years and years Canada has wanted to get possession of that country, for they felt the necessity for having an extension for the future teeming population of Western Canada. They felt that though there were large tracts of land fit for settlement, for half the population of Canada, it was broken in character, and not attractive in its outline. In consequence of this, the young men of Canada, instead of going into those small isolated tracts of land, went to the expansive prairies of the Great West, where they would not have the labour of clearing the Forest. Thirty thousand young men from Lower Canada alone were in the United States. In Western Canada family after family were moving off in bodies and making a settlement together in the Western States. They could not keep them if they offered them land for nothing on account of its broken character. The first thirteen States of the Union could hold the whole population of the United States at this time, but they did not confine themselves to these limits, but emigrated westward. From the very moment they got their independence, they commenced to extend their border. Their first attempt was to haul the wool over England's eyes, and get the Western country to which they had no more right than the Emperor of Russia. He did not think they were acting like the frog in the fable, as his honourable friend from Hants said Canada was. They felt they had a right to expand and claim all they could, and this desire has placed that country in the position they now are. England could not very well say to us, "There is a great country for you, if you want it, take it and settle it with British subjects, and we will help you to defend it." If we don't take it, there is no right, obligation, or sense in asking England to draw from the Imperial purse to defend the country, unless she chooses to do so for her own advantage. If we do not embrace this opportunity, it may never return; for all the power of England may not save it from the United States, if we allow it to go out of our grasp. They could not expect the Hudson's Bay Company to expend large sums of money there now, when by the Union Act, the Government of England and the Government of Canada may agree to deprive them of the right of legislation and the right of trading, while every shilling they have there is liable to taxation. The feeling of the people is always against any company who are large land owners, and more ownership of

soil would be a burden if they were confined to that. They could not expect England to spend her money to settle British North America, any more than they could expect her to spend her money to settle and explore the centre of Australia. There is no blame for England that she does not put a tax upon her people to settle British America. It is Canada that should expend money for this purpose. We would be false to ourselves, and false to everything that would make us respectable in the eyes of the world, if we neglected this opportunity. If we do, it may pass from us to the United States. The Republic of Mexico has opened its northern country to settlement, and immigrants went in there and took possession of the territory, and held it as a separate State. After they had asserted in the field their ability to defend their possession as an independent State, then, and not before, commenced a communication between them and the United States for their admission into the Union. The same thing is going on in the North-West. The Americans are going in, singly first; the trapper, then the trader, and by-and-by the settler. The people of the United States are tearing up every line of demarkation between the North-West and the United States. They are going in, and if they find no established institutions or organized Government, they will form an Association and commence a Government on their own. It had been said that England wished to get rid of us. He denied it. The whole resources of the Empire would be used in our behalf if we needed them. They should not refuse this North-West Territory, even if it involved a considerable sum of money. The United States paid a large sum of money for a country from Russia, and they would pay the debt of Canada forty times over to get that country; and, are we to be afraid of a sum of money when we get a whole continent for it. After we get that country hundreds of thousands of our Canadian population would go there, besides emigrants from Great Britain, Germany, Norway and Sweden. It had been said by the member for West Durham (Mr. Blake) that this was a worse proposition than the proposition of 1865. It was precisely the same. It was simply that we wished to take possession of this territory, and would undertake to legislate for it and to govern it, leaving the Hudson's Bay Company no right except the right of securing their title in the best way they could in the Courts of competent jurisdiction. And what would their title be worth the moment it was known the

country belonged to Canada, and that the Canadian Government and Canadian courts had jurisdiction there, and that the chief protection of the Hudson's Bay Company and the value of their property named—even the exclusive right of trading in these regions—were gone forever. The company would be only too glad that the country should be handed over to Canada, and would be ready to enter into any reasonable arrangements. The value of the company's interest would be determined by the value of their stock, and what would that be when the whole country belonged to Canada? We would get the country at the cost of a comparatively small sum of money. If we did not embrace the opportunity now, we might never have so favourable terms again, for it would in all probability be taken possession of by foreign settlers, who would hold it against all comers; but if the country once belonged to Canada he had no fear of American invasion. There would be a wholesome emulation between British and American settlers, and if there was any country in the world which could furnish good and law-abiding settlers to another country, it was the United States of America. They would readily give their support to British institutions if they found them existing there; but if they found no such institutions—if they found a country abandoned by English sovereignty and by the English nation—they would form institutions of their own, and hold themselves free from any claim on the part of England to their loyalty or allegiance. He repeated, that now was the time to avail ourselves of the overwhelming advantages which the possession of this great country offered to the United States, and he implored this House, as now laying the basis of a great nation, not to neglect this opportunity. It had been said that the proposition formerly was that we should only take that portion of the country which was fit for actual settlement, and let the Hudson's Bay Company keep the rest; but what was the very first proposition submitted at the Quebec Conference? It was that we should embrace the whole of British America in our scheme. It was perfectly well understood, when the scheme was submitted to the Parliament and people of Canada, that the completion, complement, and full design of the scheme—be it for the weal or the woe of British America—was that it should include the whole of British America, from the Atlantic to the Pacific. Suppose it were true that the proposition had only been to obtain that portion of

the territory which was fit for settlement, what would have been the result? We would get that portion running along the border, where if any such danger existed at all, there was danger of collision with the United States; while in the north there would have been a county still in the possession of the Hudson's Bay Company, imperfectly governed, and only held for trading purposes. We would have had continual disquiet. We would have had the trouble arising from different systems of customs duties along that border. We would have had the difficulty of a large Indian population crossing the line one day into our territory, and the next into Rupert's Land, a quasi foreign territory, where we would have no control over them. If we were to assume the responsibility of governing that country it was essential that we should have one system over the whole territory. Not only, therefore, was this the time to take possession of the country, but it was a matter of necessity to us that we should get the whole country. If we failed in our duty our children's children would have occasion to regret it, and, expatriated from what should have been their inheritance, would curse the want of patriotism, and want of common sense displayed by their ancestors. (Cheers).

**Dr. Tupper** said he probably would not have taken part in this discussion had it not been that a number of representatives of that part of the Dominion from which he came had felt it their duty to address the House, on various occasions, strongly in opposition to the policy submitted by these resolutions. He (Dr. Tupper) felt bound to support them, because in the first place as one of the delegates to the Quebec Conference, by whom this system of government for the Dominion of Canada was inaugurated, he was in honour bound to support the policy which these resolutions propounded. The gentlemen who there met as representatives of the various Provinces, animated by a common interest and a common danger in presence of a great armed power along our frontier, came to the conclusion that the true interest and safety of these Provinces lay in uniting our fortunes, and the measure then adopted declared to the American Republic and to the world, that we intended so far as lay in our power, to hand down unimpaired to our children, the priceless, inestimable blessings we had inherited from the present State, and it was placed broadly on the face of the policy then adopted, that we intended not only to preserve the benefits of British institutions for the Prov-

[Sir John A. Macdonald (Kingston)]

inces represented at the Conferences, but to extend it over the whole of British America, from the Atlantic to the Pacific shores. He felt he would be recreant to his duty if he did not now adhere to the policy then announced at the very outset of their proceedings; but more than that, he felt to-day as then that for our own interests, for the preservation of our own rights and liberties, and the institutions we prize so highly, it was necessary that the whole of British America should remain British. Dr. Tupper then proceeded to show at some length the vastness of the territory sought to be incorporated, the fertility of soil, salubrity of climate, the varied character of mineral resources, and its wealth as a fur-bearing country. He then spoke of the comparative ease with which communications could be established, it being only necessary to make 200 miles of road in the district between the head of Lake Superior and Fort Garry, and 300 miles more to connect the navigation of the Saskatchewan with that of the Fraser River, so as to make a continuous line of road and steamboat navigation from the Atlantic to the Pacific. He went on to contend that if ever British America was to assume the position of a great country—if there was to be any great accession of population and wealth into this nationality which it had been our good fortune to found, it must be by directing into it a stream of immigration. To attract immigration it was necessary to present to them a nationality which was able to wield its own destiny; it was necessary also to be able to meet what was the constant tendency of the tide of immigration which was always seeking the west. He adverted to the fact that Irishmen coming to the States had their hate of Britain intensified, when coming here, none were more loyal or attached to British institutions. He thought that in filling up our North-West territory with immigration from Ireland, the empire had an opportunity of filling it up with an orderly and prosperous community, who, remaining at home, would languish in poverty and rankle in discontent. He pointed out that the construction of the Intercolonial Railway and other works, presented a peculiarly favourable opportunity in connection with the opening up of the North-West, for inviting that immigration. In this debate he was pleased to find that the men who laying aside former political animosities, to put their hands to the great work of consolidating British power in British America, were found as a solid phalanx in support of these resolutions. He had never listened with greater

pleasure to any gentleman in any Parliament than he had done to the member for Lambton, (Mr. Mackenzie), who rising superior to party interests, felt it due to himself and to the country in which he held so conspicuous a position, to give his emphatic support to the Ministry on this question. He felt that the honourable member took a course, which instead of weakening his power and position as leader of the opposition, would raise him in the estimation of the whole intelligent people of this country. (Hear, hear). He had thought the member for Hants occupied a peculiarly unfortunate position in the House, but never considered him an object of sympathy till the member for Shefford took him under his protection. He had listened with a great deal of astonishment to the arguments which had fallen from honourable gentlemen presuming to belong to the Reform party of Canada, when he heard them expressing sympathy for the people of Nova Scotia because their rights and liberties had been trampled upon. He felt that in making such a charge even-handed justice was not being meted out to those who had fought the great battle of Union in Nova Scotia. If there was any portion of the people of the great Dominion who should never have raised their voices to say any liberty had been taken with the rights of the people of Nova Scotia it was the great Reform party of Ontario, who, when he was fighting the battle of Union in his own Province, were urging him to carry it to a successful termination. The question of the acquisition having come up *de novo*, he asked the House whether there was a man in the House who could get up and say the Government were trampling under feet the rights of the people of Nova Scotia by not submitting this question to them at the polls? Yet that was the point. Because he would not do what no statesman ever thought of doing, he was compelled to sit here and hear sympathy expressed for the people of Nova Scotia. He could say to the member for Shefford that he forgot what was due to the interests of the Dominion in defending the men who got up night after night and endeavoured to destroy the best interests of the country. It had fallen to his (Tupper's) duty, in the presence of the English people, to defend the people of Ontario and Quebec from the strongest aspersions on their loyalty itself, and the reward he now met with was to be represented as ignoring the rights and liberties of the people of the Dominion. He read an extract from *The Globe* to show the misrepresentation which had been employed against the Gov-

ernment. It set forth that the Dominion Government previous to the elections had made advances to the Government of Nova Scotia for Railways. There did not seem to be anything very startling in that. The fact was that the Government was bound to assume every responsibility of the Government of Nova Scotia, and not a penny was advanced before elections. Yet that was held up by a member of this House to the people of Nova Scotia as a black transaction, by which the rights of the people of Nova Scotia were undermined. This was a sample of the licentiousness of the press, by which the very small success of the anti-Union party had been obtained. It had been more than insinuated that offers were held out to take a gentleman who was one of the Reform party to cross the House and sustain the Government. All he could say was that the member for Hants had never made such an assertion himself; but he (Dr. Tupper) would not have been surprised if the member had thought such an arrangement not altogether improbable. The anti-Union party went to the polls pledged to oppose the gentlemen on the treasury benches, and called upon the people to vote down them as a corrupt combination. After the election a change came over the spirit of their dreams, and these same gentlemen who went to the polls denouncing the Coalition as dangerous to the interest of the country, came out next morning and said they had never been in the slightest degree connected with the organ over the way, and that there was no reason why they should not give a fair support to George Brown's Ministry. After this it was no wonder a portion of the press should come to the conclusion that advances had been made, not that he believed there had been any. He went on to refer to the member for Hants' attack on the member for Lanark, and defended the latter in his charge of inconsistency brought against the former. Referring to the comparison made between the member for Northumberland and Great Tidal Bore, to which people became so accustomed that they paid no attention to it, he said the illustration had another application. People caught on sands were often destroyed in trying to escape from the advancing wave, and the member for Hants felt the sand sinking under his foot as the wave of logical argument of the member for Northumberland swept over him. He also contended that the member for Hants admitted his willingness to concede all these resolutions. He (Mr. Howe) had said to go in and take possession of the territory, and open communication with it.

The member for Hants would do well to make the same candid admission in this matter that he had done in regard to the Grand Trunk Bill—that he was incorrect as to his facts.

**Hon. Mr. Dorion** said he had listened with great pleasure to the speech of the honourable member for Cumberland, but he could not help thinking that the greater portion of it was a mere repetition of that gentleman's electioneering difficulties. He did not think we were in a position to indulge in such glowing descriptions of our great strength and power; at any rate, others did not see us in that light. He had lately read an article in the *London Times* comparing Canada to a baby without strength, and only being allowed to live from the fact of its weakness. It had been said that the people of the old country despised us because we are colonists, and it was argued the possession of this territory would place us in a better position in the opinion of Englishmen and Scotchmen. Supposing the territory was acquired, would we be any less colonists, and would we not be still in the same position with reference to the mother country? He had no doubt there was a large extent of fertile and arable land in this North-West Territory, but unfortunately it was almost inaccessible, except through the United States. In reaching this Territory, immigrants had to pass through equally fertile territory in the United States, and much more accessible to the outside world. Under these circumstances, was it to be expected that immigrants would, in any great numbers, seek a more distant and less accessible territory? We know not what the claims of the Hudson's Bay Company were. We were asked, in effect, to vote an indefinite amount, no one knows how much, for the possession of this territory. True, the policy, in his opinion, was to urge the Imperial Government to determine what the claims of the Hudson's Bay Company are, and when that was determined Government could state to Parliament the exact sum required to meet those claims. But, by the proposition before the House, we were to vote an indefinite amount which could only be determined after it was too late to withdraw from the bargain. With five or six or more millions of acres of land in New Brunswick and Quebec, which would be opened up by the building of the Intercolonial Railway, he thought there need be no hurry to send our population to the North-West. With a floating debt of something like seven millions, with two millions

[Dr. Tupper (Cumberland)]

more to raise for public works, and the twenty millions for the Intercolonial Railroad, he thought we were not justified in voting an indefinite sum for the claims of the Hudson Bay Company, besides the large amount required to open up that country before it would be of any value as a field for immigration.

**Hon. Mr. Chauveau** (in French) argued that settlement had heretofore gone towards the Southwest, because the means of travel had been opened in that direction, but that if communication were opened up with the North-West, colonization would follow the line of travel, and settle that country. In reply to the member for Hants, he said the majority of the inhabitants of the North-West Territory were French Canadians, and from the French Canadian point of view they had nothing now to fear from the opening up of that country. If honourable members were to oppose these resolutions by conjuring up fears as to the future, they might be met by the fears that would have been excited in the past. Fifty years ago, who could have believed that Canada would have possessed these splendid Legislative Halls, or played the important part she is now doing in the affairs of the world? The honourable gentleman made an eloquent speech in favour of the resolutions.

**Mr. Joly** (in French) contended that after taking possession of the territory it would be too late to refuse the payment of whatever sum might be claimed as compensation for the Hudson's Bay Company.

**Hon. Mr. Cartier** (in French) explained the object of the amendment to place the settlement of the question under the control of Parliament; and thereafter reviewed some of the arguments advanced in opposition to the policy of the Government.

**Mr. Mackenzie** said the member for Cumberland (Dr. Tupper) complained that the Reformers of Upper Canada had deserted him in his struggles for Union in his own Province. He (Mr. Mackenzie) was glad that the Lower Provinces had entered the Union, but he had felt that he had no right to interfere in their local politics. He had not, for his own part, solicited the help or alliance of the gentlemen from the Lower Provinces, knowing that local politics and party interests which divided them, would require their attention, and he did not think that anything in the course taken by himself and friends could be construed into a wrong done to the mem-



ber for Cumberland. With regard to the question under consideration, if we cannot take possession of the North-West, because it is said to be indefensible, we might as well give up improving our farms in the West, and give up our country altogether. Referring to Mr. Blake's objection—that this measure was not promised in the programme submitted on the 20th November—he said, if Government had, in bringing forward this measure, given them a little more of the bill of fare than they had announced, he would not at all object, since the addition was of such good quality. Although he was opposed to the Government in bringing forward this great measure he would give them his hearty support. He read extracts from Confederation debates to show that this measure was one which the Reform Party had advocated, and was in accordance with their views. The more he studied this question the more he was convinced of the necessity and importance of opening up this territory immediately. In matters like this of national importance he would discuss and act upon them without any reference to party proclivities.

**Mr. Jones (North Leeds)** rose to speak amidst general impatience and cries of "question".

**Sir J. A. Macdonald** suggested he might speak on the motion of concurrence to-morrow.

The resolutions were then reported with amendments, and the report was ordered to be received to-morrow.

**Hon. Mr. Holton** gave notice of an amendment declaring in substance that it was inexpedient to adopt the proposed address, until the nature, extent, and value of the claims with which the acquisition of the territory would be burdened, had been first ascertained.

The House adjourned at five minutes past two o'clock.

#### NOTICES OF MOTION

The following notices are given:—

**Hon. Mr. Rose**—Bill respecting the collection and management of the Revenue, Auditing of Public Accounts, and liability of Public Accountants.

**Hon. Mr. Rose**—Bill entitled, an Act respecting Banks.

**Hon. Dr. Tupper**—To refer the petition of certain electors of Lunenburg, Nova Scotia, praying that a new writ may issue for the county, on the grounds that the present member (Mr. McDonald) had occupied the office of Queen's Printer for that Province, to the Committee on Privileges and Elections.



## HOUSE OF COMMONS

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Tuesday, December 10, 1867

The Speaker took the Chair at 3 o'clock.

### BANKING AND COMMERCE

**Mr. Street** presented the 5th report of the Committee on Banking and Commerce. The Committee reported that they had had under consideration the Bill relating to the Civil Service Building and Saving Society, and that the question having arisen whether it was not a Bill that more properly belonged to the Local Legislature, they submitted it to the House for instructions on the subject.

### COLLECTION OF CUSTOMS

**Hon. Mr. Tilley** introduced a Bill relating to the collection and protection of the Customs revenue.

**Mr. Tilley** said this was, in substance, the Act which had been in force in the late Province of Canada, with some alterations, rendered necessary for the working out of the system in the Maritime Provinces.

**Hon. Mr. Holton** asked if the Bill imposed any duties, or incurred any charge.

**Mr. Tilley**—No.

**Mr. Holton** said it was a very satisfactory Customs measure which imposed no duties and incurred no charge.

**Mr. Tilley**—It imposes penalties.

**Mr. Holton** doubted whether, in that case, the Bill could be introduced, except on the basis of the resolutions adopted by Committee of the Whole. The Government would have to take their risk of that.

The Bill was then read a first time, and ordered for a second reading to-morrow.

### OFFICIAL REPORT OF THE DEBATES

**Mr. Mackenzie** moved the adoption of the fourth report of the Printing Committee on the subject of an official report of the debates.

**Mr. Mackenzie** explained minutely the calculations on which the report was based, and stated that if the debates were to be reported, he was satisfied the work could not be done more efficiently or cheaply than according to the scheme reported by the Committee. The total expense for a session of twelve weeks, or sixty working days, would be \$12,019 for reports both in English and French—the printers furnishing daily 2,000 copies in broad sheets form, and 700 bound volumes, at the end of the session. Thirty-six hours would be allowed before the matter was put into book form, to allow members an opportunity of correcting verbal errors. He stated a proposition had been received from the proprietors of a Montreal newspaper, but the cost they estimated considerably exceeded that which the Committee reported as a maximum according to the scheme now submitted. He mentioned that all the other British Colonies had official reports of the proceedings of their Legislatures, and specifically mentioned those of New Zealand, as making a work very creditable in every respect. With reference to an attack which had been made on himself in an Ottawa newspaper, in connection with this matter, he said he treated that as he did everything else emanating from the same quarter, with the utmost contempt.

**Mr. D. A. McDonald** declared himself opposed to any official report. He thought it would only have the effect of unnecessarily lengthening the speeches of members and protracting the session.

**Hon. Mr. Holton** stated he was entirely in favour of the adoption of the report. He thought every one who attended to the business of Parliament must have felt the want of an authoritative record of the utterances of our public men.

**Mr. Jones (North Leeds)** opposed the report; he thought the reports would not be worth the expense.

**Hon. J. S. Macdonald** said if there was a Hansard there would be no end to speeches designed to fasten inconsistencies on public men.

**Mr. Sproat** opposed the report. The speeches were too lengthy already, and would be much more lengthy under an official reporting system.

**Hon. Mr. Howe** said that but for the peculiar circumstances under which they were assembled, he would be in favour of leaving the reporting to the free competition of the public press—but it must be remembered that this Parliament, representing a nation, sat in a comparatively small town, the newspapers of which were quite adequate to the work of a small town, but they could not be expected to report the proceedings of Parliament from day to day in the way that would be expected of the newspapers in Toronto or Montreal, if Parliament sat in either of those cities. As regarded the Toronto and Montreal newspapers, they obtained their reports by telegraph, and the expense of sending them over the wires was so great that he understood these newspapers had to enter into a combination for the purpose, and even with that obtained their reports at an enormous expense. This expense necessarily curtailed the reports, and as regarded the people of the Lower Provinces they would find the speeches, especially of their own members, remarkably meagre, although for himself he must say the reporters had done him ample justice. As to the cost, what was \$12,000 to a nation like this? (Laughter). He ventured to say that he would take up the public accounts and in half an hour save the whole cost. He believed the reporters did as much justice to the speeches as was possible under present circumstances, but the system for the reasons he had explained was not satisfactory. He had sat in the reporters' gallery himself and done their work day and night, and he knew the responsibilities of their work and frequently what little thanks they got from the members whose speeches they generally made better than they were delivered, and very seldom worse. (Hear, hear).

**Mr. Bodwell** opposed the scheme on account of its expense.

**Mr. Chamberlin** supported it. He said that under the British system we had not a written constitution, but a Constitution made up of political precedents, and made up largely indeed of the wise saying of the wise men of the nation in Parliament. As we were endeavouring to create a constitution based on that of the mother country, we would find the advantage of presenting in an authentic form the discussions in Parliament. In the courts

provision was made not merely for preserving the decisions of the judges, but reports were made of the grounds on which they based these decisions; and every lawyer knew that the judge made law thus recorded was as important and binding as the statutory law of the land.

**Mr. Dunkin** was decidedly in favour of a system of official reporting. It was simply impossible to give correct reports by telegraph. The system of official reporting would tend to shorten rather than lengthen debates, and would improve their time and quality. If members knew that their speeches would be reported in full, and to be preserved for future reference, they would take greater pains in preparing them. There could be no question if we had official reports at all, we should have them in both languages.

**Hon. J. H. Cameron (Peel)** said it was of the greatest possible importance that the debates should be preserved in that form which could be referred to as an authority. In regard to the matter of expense, if they spent money for no worse purpose than this they could show a very clean record.

**Mr. Morris** trusted the House would adopt the report. It would be of great value both to the House and the country to have official reports to which to refer. Members were continually referring to the English Hansard during debate on constitutional questions and official reports of proceedings of this Parliament would be equally valuable to future Parliaments.

**Mr. E. M. McDonald** said if they were ever to have official reports now was the time when we are commencing a new course. He had supported the proposition in Committee and would like to see the report adopted.

**Mr. S. Ferguson** opposed the adoption of the report.

**Mr. Harrison** supported it. An official report of proceedings of this Parliament would be of great value as a book of reference to members of the Local Legislatures.

**Sir John A. Macdonald** said Government would leave this question in the hands of the House. The report did not recommend official reports. It only submitted terms by which reports could be published. He would suggest that the report be referred back to the Committee for them to prepare a formal recommendation of a plan of official report-

ing. He thought reports should be published in both languages. Any other mode would be injustice to Lower Canadians. An editor would be necessary who would be responsible for corrections and the accuracy of the reports. Members might be allowed to make verbal corrections in reports but nothing more. It was very necessary to have an authoritative record of proceedings of this Parliament, and particularly valuable to members of the Local Legislatures as a means of reference on questions which might engage the attention of both Legislatures.

**Mr. Mackenzie** thought they would be able to get pretty full reports from the opening of the session.

**Mr. Smith** supported the report.

**Mr. Savary** said they were accustomed to have official reports in the Local Legislature of Nova Scotia, and he thought it much more important to have them in the Dominion Parliament. It was impossible in the short reports sent by telegraph to give perfectly accurate reports. Some members from Nova Scotia had been reported as saying exactly the opposite to what they really did say. It was due to the people of the country that they should know what their representatives said and did.

**Mr. Mackenzie** then moved that the report be referred back to the Committee with instructions to present a formal recommendation of an efficient plan for reporting the debates of Parliament. The motion was put amid cries of "lost" and "carried".

**Sir John A. Macdonald** said it would be understood the vote was a test vote, showing whether the House approved of an official system of reporting or not.

The motion was agreed to 86 to 72.

#### CANADIAN STEAM NAVIGATION COMPANY

On motion of **Mr. Morris**, the Bill relating to the Canadian Inland Steam Navigation Company was read a third time and passed.

#### THE GRAND TRUNK BILL

On motion of **Mr. Shanly**, the Bill to amend the Grand Trunk Arrangements Act of 1862, was read a third time and passed.

#### THE FLOATING DEBT

**Hon. Mr. Galt**, before the orders of the day were called, wished to ask an explanation which, he was sure, the Minister of Finance would gladly afford. He was afraid his honourable friend had been led into a misconception in regard to the position of the floating debt which had to be provided for. The amount due to the agents in England was stated at \$2,404,115, which he supposed was independent of the January interest, which still has to be paid. He was led to this conclusion by the statement on page 11 of the report of Mr. Rose's speech that, after providing for the January interest which is now being remitted to Europe, there is a very considerable sum remaining, which the Government may, if its maturity engagements permitted, be enabled to apply towards the reduction of floating liabilities. He thought his honourable friend was under the impression that the January interest had to be met out of the balance in hand, whereas it was included in this \$2,404,115. If that was so, we were richer by a million and a half than would appear from this statement.

**Hon. Mr. Rose** said the statement which he had made with reference to the floating debt being \$6,900,000, was in accordance with a return made in the office of the auditor. On enquiry, however, since Mr. Galt called his attention to it, he was gratified to find that the item of \$2,404,115 included the interest due on the Canadian debt on January 1st, but not on the Nova Scotia or New Brunswick debt. That amount was now in course of remittance out of monies in bank and would be so much in diminution of the floating debt.

**Hon. Mr. Galt** said it was very important that the lowest statement within the fact of our liabilities should go forth to the country, and for that reason he regretted his honourable friend did not state the amount of cash balance. He (Mr. Galt) believed they were very considerable and he wished his honourable friend would go over the floating liability as it now stands, stating what the cash balances are, and he would suggest that a statement with reference to the balance on the issue of Provincial notes be given. He thought these three points essential to a good understanding of the amount we have to provide for as floating debt.

**Hon. Mr. Rose**—The amount of the floating debt as stated at \$6,911,901 included in it

interest on Canada debt due on 1st January, about \$1,382,000. When that was paid out of money which was now at the credit of the Government, it would reduce the floating debt to about \$5,500,000. The bank balance was \$3,249,000, less credit given, perhaps about \$400,000 which would leave at the credit of the Government \$2,849,000, out of which remittances are being paid. The remittance would amount to about 42,000 pounds sterling. As to the Provincial Note Account, it was estimated that the circulation would probably be contracted by the close of the season of navigation by the sum of \$100,000. Then it was necessary to keep a certain margin at the credit of the issue account of about \$100,000. Deducting those from \$754,000 assumed to be at the credit of Government, on the issue account, it left \$250,000 more available, making about \$1,000,000 altogether.

**Hon. Mr. Galt** said that instead of having nearly seven millions to provide, that amount would not be much more than five millions, with about one million of cash in hand.

**Hon. Mr. Holton** was sure that the House would be very gratified to learn that we were not so poor by a million of dollars as we were on Saturday. He only hoped that his honourable friend would not find to-morrow, that another mistake had been made on the other side of the account which would throw us back into the disconsolate position in which we were left on Saturday.

**Hon. Mr. Rose** said that he made his statement on a return from the proper officer of the department, and had stated that whatever available cash was in the hands of the bankers would go in the reduction of the amount of the floating debt, whatever that balance might be.

**Hon. Mr. Holton** said that he made no charge, but only expressed what he thought was a patriotic and justifiable hope.

**Hon. Mr. Anglin** thought that we should know to what extent the floating debt had been reduced.

**Sir John A. Macdonald** said that the House was not on the estimates now, and the subject dropped.

#### IMPORTANT QUESTION RAISED

**Hon. Mr. Rose** moved the House again into Committee of Supply.

[Mr. Rose (Huntingdon)]

**Hon. Mr. Dorion** said there was a point to which he must necessarily draw the attention of the House. We were entering upon a new career in this Dominion, and it was important that the House should at this period of its existence show its attachment to those constitutional usages which were intended to secure and protect the rights and liberties of the people. Instead of that, honourable members found that the most dangerous practice was about to be entered upon. The pretence that the estimates had not been prepared, for reasons which appeared to be quite frivolous, it was proposed to vote the supplies in block for a period of nine months—a thing for which he thought there was no precedent to be found either in this country or in England. If they excepted the vote which was taken in Canada in 1865, and that was only to cover the expenditure of three months. He contended that votes of credit were never asked in England in bulk, except in case of war, when it was impossible to estimate the expenditure in detail, and then they were never asked for more than three months. It was true that within a few years the practice of voting sums on account had been introduced in England, but this only applied to those expenditures upon which Parliament had voted before, namely, for certain services which must be specified in detail by Government, and which has been provided for by Parliament in preceding years. No new item of expenditure was included in these votes, and although voted in block, it was understood that the sum would be applied in a certain way and to no other purpose. He read from Todd and also from debates in Hansard to sustain his view, and argued that the Government should have brought down a detailed statement of the expenditure proposed before asking for a bulk sum, and that even then the vote of credit should not be asked for more than three months. He thought estimates in detail should have been submitted to the House, and that it was not very creditable to officers of departments that they had not been prepared. He contended also that the difficulty was created by the fact that there was doubt as to what portions of the proposed expenditure were provided for by Acts of Parliaments of Canada, Nova Scotia and New Brunswick. He thought this doubt should have been solved by the Finance Minister before asking for appropriations which it might afterwards be discovered were provided for by Acts either of the Parliament of Canada or that of New Brunswick or Nova Scotia. If it was found they were provided for, then the vote would have

been twice taken, and if on the contrary they were not provided for, then the five millions asked would be quite inadequate to meet the wants of Government. He argued again that it would be infringement on constitutional practice to vote a sum in bulk without some detailed statement as to the manner in which it would be expended and concluded by moving that all after the word "that" in the resolution, be struck out and the following inserted in lieu thereof, "That this House, while cheerfully granting the supplies required for the public service, regrets that there should have been a departure from the long established and wise constitutional practice of basing appropriations of public money for the ordinary public service of the year upon detailed statements submitted by the Crown, and it cannot but regard with profound disapprobation a proceeding which tends to subvert the surest safeguard of the rights and liberties of the public, namely, the complete control over the expenditure by the representatives of the people."

**Mr. Blake** seconded the motion.

After the recess.

**Hon. Mr. Cartier** said he presumed that every member in the House, as well as himself, must have been astonished at the motion moved by the member for Hochelaga, and seconded by the member for West Durham. It was nothing else but a want of confidence in the Government. They were not quite ready to leave their position in order to allow the small body on the other side of the House to have the grave responsibility of forming a Government. They would be very much embarrassed if they were compelled to take that responsibility, as it would absorb all the Opposition in filling up the Government. He did not think the member for Hochelaga (Mr. Dorion), was the originator of the motion, but that he was prompted by the member for Shefford, (Mr. Huntington). If his honourable friend the mover of the resolution had stated his objection to the manner of procedure of the Hon. Minister of Finance, instead of having his objection followed up by this resolution—and reserved his speech as a protest against any such procedure hereafter, then members of the House would not have found much fault, for it was right that any member of the House should watch the procedure of Government, and the manner they carry on business; but it was unwise and imprudent to bring in a resolution of this kind at this period of the session. He had stated that

there was no opposition on the floor of the House, and he felt there would be no opposition because Government intended their ministerial acts to be performed with such accuracy according to the British system that no opposition could be made to them. It was strange that the honourable member for Lambton was set aside, as a motion of want of confidence, if it was successful, would place the member for Hochelaga and the member for West Durham in prominent positions if a Government was formed by the Opposition. He could understand why the member for Hants was not going to second the motion, because his friends and himself came here to watch the proceedings of the House, and help to pass measures which were good and to prevent any bad measure being carried. This might also apply to the member for Westmorland, who had said he would give the Government no factious opposition, and the same thing could be said in regard to the member for Gloucester. His honourable friend from Hochelaga had complained that the privileges of this House and the liberties of British subjects had, to some extent, been compromised by the proceedings of the Minister of Finance. The Governor-General had transmitted the estimated sums required for the service for 9 months, from 1st June, 1867, to 31st March, 1868, and he recommended these estimates to the House of Commons. The mover's resolution finds fault that the Minister of Finance does not come here with a detailed account of all the items of expenditure. He has quoted from English Parliamentary practices, and shown that on certain occasions, as on a Ministerial crisis, there is a vote of this kind, but that such demand is always accompanied by a detailed intimation of services to be provided for. The Minister of Finance did more than that, for he brings before the House the whole expenditure—unprovided and provided for—for the whole Dominion, during the 5 months expired on 30th November. Mr. Cartier then gave an account of the items of expenditure as shown in the appendix to the financial statement. He said his honourable friend was not asking a vote of credit for 9 months, but only for the 3 months ending 31st March, all expenditure mentioned in those statements was expenditure justified by authority of Parliament; but the Minister of Finance came here just as if there were no authority, and asks a vote of credit to cover expenses in the late Provinces of Canada, Nova Scotia and New Brunswick. He hoped the time of the House would not be long occupied in this discussion, and the best

manner to treat the motion was to vote it down. He then repeated the substance of his observations in French.

**Hon. Mr. Galt** rose to oppose the motion of the member for Hochelaga, but before doing so, wished to refer in general terms to the financial state of the country, as indicated by the statement of the Finance Minister. He thought that statement in its general bearing was particularly clear. He said there had been in the year ending June 30th, 1866, a surplus of \$590,354, and a deficiency in 1867 of \$502,734. Consequently the two amounts gave a surplus of \$87,620. He (Mr. Rose) also stated in general terms that the reason for the deficiency in 1867 was that the period at which the tariff was instituted, caused a large part of the Customs duties to be paid in 1866, and it became necessary to refund these in 1867. An amount of \$270,427 was thus placed at credit of 1866, which was returned as revenue of 1867. The changes in the excise law doubling the duty on spirits, which was increased from 30 to 60 cents per gallon, had also great influence in changing the course of this trade. When the duty was increased to 60 cents, it became so much larger in proportion to the cost, that the course of the trade had been for distillers to retain the spirits in bond till taken out by consumers. On the 1st July, 1867, a large amount of spirits remained in bond, and these had since been withdrawn. The amount of spirits manufactured in the year was somewhat in excess of that estimated. These causes about accounted for the deficiency. Notwithstanding the reduction in the receipts from excise during the year past, the increase in the receipts from Customs was so large as more than equal it. He therefore thought the grounds on which the Government of that day acted had been amply justified and encouraged gentlemen on the Treasury Benches to proceed in the same direction of getting free trade, and of imposing duties so as to raise the largest possible amount of revenue with the least tax on those articles most in use by the people. He next proceeded to enquire what had been the effect of the financial measure carried last session, with the view of meeting the floating debt of five millions by provincial notes and debentures bearing short date interest. On 1st July last, the receipts from these two sources amounted to \$3,986,900, from which had to be deducted, public debt redeemed \$1,813,117, that being the portion of the floating debt intended to be provided for. Consequently there were \$2,173,783 cash obtained from

[Mr. Cartier (Montreal East)]

these resources which had to be deducted from the amount of floating liability reducing it to \$2,826,217 to which we must add a deficiency for the year of \$502,734, making the actual amount on 1st July last \$3,328,951. He then proceeded to consider how this amount was constituted. The amount due to Canada agents in London, was \$2,404,115; Nova Scotia, \$1,312,740; New Brunswick, \$263,980, making a total of \$3,980,835 from which we have to deduct the amount of 304,000 pounds sterling on account of the Canada portion of the debt which had been included in the amount stated by Mr. Rose to be due to the London agents, while at the same time it was provided for out of existing cash balances. The amount actually due the London agents including Nova Scotia and New Brunswick was \$2,501,395. There was due to the Bank of Montreal \$2,724,086; sinking fund, \$206,980. The result was his honourable friend (Mr. Rose) made out a floating liability of \$6,911,901. Deducting the amount to which he had referred of 304,000 pounds sterling, there was left \$5,432,461 to be provided for. In considering the provisions to be made for it, it was necessary to refer to the cash in hand, stated at \$3,249,125—less credits \$457,000, leaving \$2,792,125 available balance. The balance to credit issue account was \$754,000, making altogether \$3,546,125 in the Bank of Montreal at this time—but we have to deduct from that the remittances which the Minister of Finance had in view when he made his statement amounting to 304,000 pounds sterling for Canada and 75,000 pounds sterling for Nova Scotia and New Brunswick, leaving balance of \$1,701,681, which deducted from floating liability as reduced, leaves balance of \$3,730,780. There was good reason to believe that the bonds issued on account of Nova Scotia would, as stated by him (Mr. Rose), be sold at par, which would give \$1,216,666 reducing the floating debt to \$2,514,111 which was the amount this House would be called upon to provide for. Against which was the regular London credit of \$1,216,000. He did not think this statement was calculated to cause any alarm in the minds of the people. He did not consider it probable any considerable portion of the Provincial notes would be returned; but was proper that the Finance Minister should have made provision therefor. The circulation of the country had been considerably diminished by their stoppage of the Commercial Bank, and by the effect which the crisis following that event had on other Banks, and the tendency was to increase the issue of Provincial notes. He com-



mended the proposal of his honourable friend the Finance Minister, in regard to Savings Banks in connection with the Post Office, and believed he might look for considerable revenue from that source. He thought the Government perfectly justified in asking a vote of credit under the circumstances of the case, this being a wiser course than to attempt to enter into details of probable revenue and expenditure before expropriations between the different Provinces had been made, and he expressed his determination to accord them his hearty support in the course they had seen fit to adopt.

**Mr. Blake** said the Minister of Finance in addressing the House on Saturday had stated that there were various reasons which made it difficult or rather impossible for him to comply with the constitutional rule which would have given the House the opportunity of considering everything in detail of the estimates of the public expenditure for the year. The Minister of Militia had stated that if the member for Hochelaga had contented himself with simply protesting against a violation of constitutional principle—which, however, he should have acknowledged to have been excusable under the circumstances,—there would have been no reason to complain of his course; but when the member for Sherbrooke rose, he turned the tables completely and contended that so far from the course of the Government having been exceptional, something to be defended, the House owed a debt of gratitude to the Government for the information they had been pleased to vouchsafe to them—that the Minister of Finance had done more than his duty with respect to these enormous sums which they were called upon to vote—that he would have done his duty if he had merely asked the House to vote *en bloc* this sum of, nominally, five millions, but really ten millions, without giving any details whatever. He (Mr. Blake) could not give his assent to this doctrine. If that was to be the rule of procedure in the New Dominion he for one should not congratulate himself on the result of Confederation. The Minister of Militia had said this was a motion of want of confidence, and if successful the Opposition would find it exceedingly inconvenient that there should be thirteen Ministers, for their number was so limited that they would be a Ministry without followers. If there was reason on that ground why they should be contented with that number of Ministers, they had reason to-night to say the number ought to have been greater; because if these thirteen Min-

isters had discharged their duty to the best of their ability, and with five months' labour had been able to bring down no more information than was now presented to the House, he was free to admit that his honourable friends erred rather on the side of being too few than too many. If half a dozen more Ministers would have saved us from being asked to agree to this unconstitutional procedure, it would be better to pay salaries of that additional number of Ministers than that the House should suffer from lack of information. When this Ministry was formed, the Minister of Public Works told those in Upper Canada who had confidence in the leading members of that Ministry on account of their past conduct, that a new leaf was to be turned over; that half, if not the majority of the Ministry, belonged to the Liberal party, and had always insisted on the maintenance of the rights and liberties of the people, and had struggled with himself (Mr. McDougall) against acts of misgovernment, and extravagance and expenditure of public money without the sanction of Parliament, and he argued that it was better that he and others of that party should go in to control the Government than that it should be entirely composed out of the old set. He said, too, that if any attempt was made to repeat the misdeeds of former years, and if he and the Minister of Inland Revenue found themselves unable to prevent them, they would wash their hands and retire from the Administration. But what had been the result? The calling of Parliament was delayed till the latest possible period compatible with allowing the Local Parliament to meet within the period fixed by the Union Act. When Parliament met, the Government measures were delayed from week to week, and now they were called on to vote ten or eleven millions *en bloc*, without detailed estimates. Mr. Blake went on to argue that Ministers had not complied with the requirements of the Union Act or with their own promises made in His Excellency's speech from the Throne, that a statement of the sums necessarily spent between the 1st of July and the meeting of Parliament, would also be submitted for its approval, and that estimates for the current year would also be submitted for their consideration. He held that the very general statements now submitted by the Minister of Finance were not a fulfilment of these promises. He suggested that this might be owing to the way in which the public accounts were kept, which made it possible for the Minister of Finance to come down on Monday and tell

the House that he was a million and a half dollars wrong in the statements he gave to the House on Saturday of the amount of our floating debt. Ministers apparently had got the public accounts into such a state that they could not tell us what they had spent, and were, therefore, unable to give the House detailed statements. If so, there was the more necessity why they should give the House the fullest information as to how they were to deal with those portions of the public money with which they had still to deal. It was to be remembered that they were not dealing with this question as if it was a day after Union, as if Government was called upon to conjecture what its expenditure would be. It was to be remembered that they were now nearly half a year in acquiring information upon various points upon which they are now in a state of black darkness. From what they had expended since the Union, they might form some idea of what the public service was going to cost in detail. It had been said that it was not distinctly understood in what cases the old Act of Parliament of Canada was in force, and consequently it was not distinctly understood how much money Parliament could be called upon to provide as distinct from that authorized by the old Act of Parliament. This was no excuse. It was time Government understood what the law of the land was, and if there was any doubt it should be given in favour of that construction which would give the widest scope to the exercise of the constitutional rights and privileges of Parliament. In former years when estimates were brought down it was customary to bring down items under two heads—one head showing what was authorized by existing acts, the other head showing the additional expenditure the Government asked Parliament to vote for. So in the present instance there was no difficulty to prevent Government bringing down statements showing what items were authorized by previous Acts, and what items they asked Parliament to authorize. They must have had details before they could get an aggregate. They had brought down the aggregate, and why not bring down the details. The second ground for refusing to bring down the details of the expenditure was that it was not decided with regard to any services whether they are to be under control of the Dominion or Local Governments. Until this question was decided by arbitration the Dominion Government must have control over all items about which there is doubt. Some of the items might ultimately come under control of the Local Governments, but that was no

[Mr. Blake (West Durham)]

reason for the Government refusing to bring down a detailed estimate of each item until the question was decided by arbitration. Past experience might have enabled Mr. Langton to form a pretty correct estimate of what amount was needed under the different heads. But it was said no information could be obtained as to what heads of expenditure were authorized in the Maritime Provinces by general Acts, and yet we had two ministers from each Province. Could no information be obtained from them? He would ask the House if there were sufficient reasons for their voting in block, \$1,609,000 for Militia expenditure. Last year, the amount expended under this head was some \$1,400,000, and then they were told that was exceptionally large. The amount this year we were asked to vote in block was \$200,000 more than what was stated last year to be exceptionally large; of some of the items Government could certainly give details; but because they could not give all details, was that any reason why they should not give any? It was idle to tell them that when Parliament would meet again, Government would bring down details. The money would then be expended, and Government being strong, would not permit a disallowance of any expenditure. What was proposed was in effect to give the Government authority to spend the whole amount as they saw fit. He had no desire to embarrass the Government, but he did not think it the duty of Parliament to demand a detailed statement of the proposed expenditure.

**Hon. Mr. Rose** said they had brought down a statement of expenditure down to the latest hour possible, 30th November, they were now placed under different circumstances from ordinary sessions, and that it was impossible during the short time he had been in office to give details of all items of expenditure throughout the Dominion. He (Mr. Rose) referred to several instances to show that the course taken by Government was not without precedent. The House should bear in mind that they were not asking for a vote for the whole year, but merely until next March, when Parliament would again meet, and the Government would then be prepared to bring down a detailed statement. The course of the Government had been dispassionate and straightforward throughout, and they had no desire to withhold any information whatever from the House.

**Hon. Jos. Howe** deprecated the waste of precious time likely to arise from such a discussion, and characterized the extraordi-

nary speech of the Minister for Militia as being calculated, from its irrelevancy and want of dignity, to induce almost any one to vote against him. He would suggest that, as the Government seemed, in some mysterious way, to hold possession of some million of Nova Scotia bonds, they should hand over these to his Province, (laughter,) and regard the whole question as comfortably settled. (Continued laughter and cries of "carried".) If the amendment was to be carried and the Ministry resign, he (Mr. Howe) might be called upon to assist in forming another, (laughter,) and would be thus prevented from returning in time to eat his Christmas dinner at home. He would be disposed to give any Finance Minister rope enough to hang himself, and if supply were voted till March, he would in the meantime apply himself to the study of the accounts which should be then submitted to them, and would deal with the Government according to the result of his investigations. He appealed therefore to the member from Hochelaga to withdraw his amendment.

**Sir John A. Macdonald** said as the motion involved a want of confidence, it was due to the Government that they should have a vote in order to enable them to know their position. If sustained by the House, they would be able to act with more confidence in the discharge of their public duties.

**Hon. Mr. Holton** said he did not know whether his honourable friend for Hochelaga would consent to withdraw his motion; but as the Minister of Militia had admitted that the Government were pursuing an unconstitutional course in this matter, he (Mr. Holton) would advise him to yield to the suggestion of the member for Hants, and withdraw his motion.

**Sir John** said, whatever Government might have consented to do, they could not allow the motion to be withdrawn after the speech of the member for Chateauguay. The Minister of Militia had not admitted the unconstitutionality of the proceeding proposed by Government, and the object of the member for Chateauguay, in imputing such language to him, and also in offering this resolution and then withdrawing it when he found how weak was the opposition, was simply to create effect out of doors, and by insidious means endeavour to injure the Government. He (Sir John) went on to argue that the proposal of the Government was entirely in

accordance with constitutional usage in England, as well as in this country, citing cases to sustain this view, and reflected with some severity upon the members for Chateauguay and Hochelaga, who, he said, had shown forbearance toward the Government only because they had no power to do otherwise.

**Hon. Mr. Dorion** replied, saying he had offered the resolution without consulting any one except the honourable member for West Durham, and he had no object in proposing it except to affirm what he believed to be right, and to protest against what he regarded as a grave and dangerous departure by the Government from those constitutional practices which were designed to protect the rights and privileges of the people. It would be the same thing to him whether ten or a hundred voted with him; he would feel he had done right, and would look upon his vote in support of the motion with as much satisfaction as any he had ever given in his life.

**Mr. McDonald (Glengarry)** expressed his intention of voting against the resolution. He had not been asked to give any pledge to his constituents before election, as to his course in the House, but after the election he promised to give the Government a fair trial. He wanted to see what their measures would be. He must say he was not pleased with some of them, but on this question he was prepared to allow them to bear the responsibility.

**Mr. Anglin** would take a similar course, not that he approved the principle of voting supplies without detailed estimates. But Government had declared that they had been engaged three months before Parliament met in elections, and everyone knew such to be the fact, and though he thought they might have been prepared with their measures, yet, when they were not, he would allow them to assume the responsibility of getting this vote.

**Mr. Young** briefly stated he would support the resolution. He was not prepared to vote confidence in gentlemen on the treasury benches.

The vote was then taken and resulted as follows:—Yeas, 21; Nays, 115.

**YEAS**—Blake, K. Cameron (Inverness), Cheval, Chipman, Coffin, Coupal, Croke, Dorion, Fortier, Geoffrion, Godin, Holton, Huntington, Kierzkowski, Mills, Oliver, Parker, Power, Ray, Savary, and Young. Total 21.

**NAYS**—Abbott, Anglin, Archambeault, Ault, Beaty, Beaubien, Bechard, Bellerose, Benoit, Benson, Bertrand, Blanchet, Bolton, Bowell, Brown, Brousseau, Brown, Burpee, Burton, Cameron (Huron), Campbell, Carling, Caron, Cartier, Cartwright, Casault, Cayley, Chamberlin, Cimon, Colby, Connell, Crawford, (Brockville), Crawford (Leeds), Currier, Daoust, Desaulnier, Dobbie, Drew, Dufresne, Ferguson, Ferris, Fortin, Galt, Gaucher, Gaudet, Gendron, Gibbs, Grant, Gray, Grover, Hagar, Harrison, Holmes, Howe, Huot, Hurdon, Irvine, Jackson, Johnson, Joly, Keeler, Kempt, Kirkpatrick, Langevin, Lapum, Lawson, Little, Macdonald (Cornwall); McDonald, (Glengarry), Macdonald (Sir John), (Kingston); McDonald (Middlesex); Magill, Masson (Soulanges); Masson (Terrebonne); McCallum, McCarthy, McDougall, McKeagney, McMillan (Restigouche); McMillan (Vaudreuil); Morrison (Victoria, Ontario), Morison

(Niagara), Munro, O'Connor, Perry, Pinsonneault, Pope, Pouliot, Rankin, Read, Renaud, Robitaille, Rose, Ross (Dundas), Ross (Prince Edward), Simard, Simpson, Sproat, Stephenson, Street, Sylvain, Thompson (Haldimand), Thompson (Ontario), Tilley, Tremblay, Tupper, Wallis, Walsh, Webb, White, Whitehead, Wilson, Wright—Total 115.

The House then went into Committee, and the resolution for a vote of five millions passed.

In answer to **Mr. Anglin**, some explanations were given in regard to the floating debt, and the debt of Nova Scotia, etc.

The Committee then reported progress, and asked leave to sit again for concurrence tomorrow.

The House adjourned at a quarter past one o'clock.

## HOUSE OF COMMONS

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Wednesday, December 11, 1867

The Speaker took the Chair at three o'clock.

Upon the suggestion of the Hon. Mr. Langevin, Mr. Bourassa postponed till evening, his motion for consideration in Committee of the Whole, resolutions for the creation of a fund to be called the "Liquor Inspection Fund".

### BREWERS OF WATERLOO

Mr. Young in the absence of Mr. Bowman, moved an address for a return of the evidence and report of the enquiry into the frauds alleged to have been committed by the brewers of the County of Waterloo. He said this was a motion of which notice had been given by his honourable friend from North Waterloo. The subject of the alleged frauds on the revenue in the County of Waterloo, had excited considerable interest through the County as well as in this House, and he thought it was most desirable that the evidence which had been taken should be sent down by government. Perhaps, however, in the absence of the member for North Waterloo, it might be as well to allow the motion to stand till next sitting of the House.

Hon. Mr. Carling hoped it would be moved now. Charges had been made and the truth of those charges should be known as speedily as possible. If the motion was allowed to stand now, it might not perhaps come up again during this part of the session.

The motion was then agreed to.

### GUNBOATS

Mr. McCallum moved for a return of the names of all vessels purchased by the Government, and employed as gunboats in the years 1866 and 67, the age, class, tonnage, and the price paid for each—the names of parties from whom purchased, and cost of repairs of each vessel for the years 1866 and 67 and the amount of fuel used by each—expense of said fuel—the names of all officers and agents employed by the Government in connection with said gunboats, and the amount paid each for their services.

Hon. Mr. McDougall recommended the addition of the words "or hired" after the word "purchased."

The motion, as amended by the addition of these words, was agreed to.

Hon. Dr. Tupper, in moving to refer the petition of Henry S. Jost and others, and of Benjamin Selig and others to the Select Committee on Privileges and Elections, regretted that the duty should have fallen upon him to bring into question the seat of the honourable member opposite (Mr. E. M. McDonald). It might be said that the question here raised, was one on which the House had already passed an opinion, but he submitted that the present case was in reality entirely different from those upon which they had deliberated before. As far as he was personally concerned, he disclaimed any desire that the prayer of the petition should be successful. If he could think that by unseating the honourable member he would give an opportunity to the friends of Union for the return of a representative with views more in accordance with his own, he should regard it as a consummation devoutly to be wished, but he could have no anticipation, the constituency being largely composed of fishermen, who had been induced to believe that under Confederation their interests had been sacrificed. But he should always hold it as his duty, however individuals might be affected, to watch that the law of the country were maintained inviolate. And how did the law of the country stand? It provided that whatever should constitute the qualification or disqualification of a candidate for the Local Assemblies at the time of the passing of the Union Act should regulate in the respective Provinces the elections to the Commons of the Dominion. The Local Act of Nova Scotia declared that no person should be eligible to sit in the Assembly, who at the time of candidature should hold any of a number of offices specified—among which was named that of Queen's Printer. It declared also that the acceptance of any of those offices—and among them that of Queen's Printer—should render vacant the seat of the member accepting it, and this local law of elections had by Imperial Statute, been made applicable to the Parliament of Canada. It

could not be, therefore, a matter of surprise that the electors of Lunenburg should present such a petition, the subject of which had been brought under his notice by some of the leading men among the constituency, and he should be quite satisfied with the consideration and decision of the Committee, to whom he now moved that it be referred.

**Hon. Mr. Dorion** said a similar case had been before the Committee, and they had decided that officers of the Local Government were qualified to sit in the Commons. If the Committee were right in that case, they could not come to a different consideration in this.

**Dr. Tupper** was astonished that honourable gentlemen did not see a distinction between the two cases. In the case of the members of Local Governments, the Act expressly excepts them from the list of officers disqualified, they being members of an Executive Council; but the office of Queen's Printer was not mentioned in the excepting clause.

**Mr. Savary** thought it preposterous that the Premier of Ontario and other members of the Local Governments should be allowed to sit in the Commons, and their subordinate officers prohibited. The member for Cumberland might have called the attention of the House to this matter, without going to the trouble of sending down to Lunenburg for a petition. This was equivalent to an election petition, and, as time was past for receiving such petitions, it could not be received. No object could be gained by referring it to Committee; but, if it was referred, they could not but arrive at same conclusion that they did on former occasions.

**Mr. Dunkin** said that there was some distinction between the two cases referred to. According to the old Canadian law, any persons holding office of emolument at the nomination of the Crown, in the Province of Canada, shall not be eligible to sit in Parliament, except those offices which were specially mentioned by names as Atty.-General and other members of the Executive Council. The members of the Local Governments argued that the word "Province" must be read "Dominion," and therefore they, not being officers of the Dominion, were not included; but, if one clause of the Act brought them under its provisions, excepting the clause that let them out again. If the words "this Province," in the Act, meant "Dominion," then they were safe, because they held no offices in the "Dominion." If they meant "Province of Quebec," the excepting clause saved them,

[Dr. Tupper (Cumberland)]

they being members of the Executive Council; but, in the case before the House, no such excepting clause existed. In his judgment, the words of the Act were perfectly clear. "No person, at the time of his election, shall hold, under the Government of this Province, any one of the following offices," etc., Queen's Printer being among the number. He had no doubt when the Nova Scotia statute was transferred to the Dominion, the word "Province" was equivalent to "Dominion"—that is, "at the nomination of the Crown in this Province," meant now "at the nomination of the Crown in this Dominion." In the present case, the office of Queen's Printer, which Mr. McDonald held, was not at the nomination of the Crown in this Dominion. The Dominion had nothing to do with it, and therefore he argued the acceptance of that office could not affect his (Mr. Macdonald's) seat in this House. There could be no doubt in the case, and it was not in principle distinguishable from that already decided by the Committee.

**Dr. Tupper** entirely disclaimed any wish to annoy the member for Lunenburg. As a Nova Scotian, he (Dr. Tupper) felt proud of the abilities he had displayed in the House; but was it no object that the laws of the land should be faithfully and impartially administered and privileges of Parliament maintained. If he had called the attention of the House to this matter himself, as the honourable gentleman (Mr. Savary) suggested he ought to have done, then that gentleman might have insinuated with some show of justice that he was actuated with personal and party considerations; but petitioners had, without any suggestion from him, requested him to present their petition.

**Dr. Parker** said the Election Committee had already decided the law on this case. Officers of the Local Government should have the same rights as the members of it.

**Hon. Mr. Cartier** thought this case was in principle just the same as that of the honourable member for Cornwall, which had been before the House and Committee on Privileges and Elections. That Committee reported that the gentlemen holding appointments in the Local Governments of the Provinces of Ontario and Quebec, did not hold them from the Dominion of Canada, and were therefore entitled to sit in this House. The question was not affected by the consideration as to whether they were elected after being appointed. As a member of the Committee, he must declare that if this question were referred, he would again feel himself obliged to urge the

same legal view he before took, believing that the seat of the member for Lunenburg had not been in any way affected by his acceptance of office since he became a member of this House.

**Hon. Mr. Dorion** thought the honourable member should withdraw his motion after the expression of opinion which had been elicited.

**Mr. Johnson** could see no distinction between this case and that previously before the House; but it might be saving time to refer it to the Committee.

**Mr. Smith** thought it would be better to withdraw the motion. There could be no doubt as to the decision the Committee would come to.

**Dr. Tupper**, after some further remarks, consented to withdraw his motion. He would sooner do so than that the Committee should, as would no doubt be the case, report in the sense expressed by members of it, which he did not believe would commend itself to the common sense of those not used to legal technicalities.

The motion was withdrawn.

#### ELECTION EXPENSES

**Dr. Tupper** moved to refer the returns of money paid from the Dominion treasury to returning officers for elections, to the Minister of Finance, for the purpose of bringing under the notice of the Government the fact that whereas in Ontario, Quebec, and New Brunswick, the expenses of holding the elections are charged upon the treasury, in the Province of Nova Scotia they are mainly borne by the candidates, with the view to the application of the same principle to all the Provinces. He said as regarded the first election to the Federal Parliament, the Dominion treasury paid for Ontario and Quebec \$40,000, for New Brunswick \$5,000, and for Nova Scotia only \$114, because the plan previously existing there differed from those in force in other Provinces. He thought in common justice, the same principle should be applied to all.

**Hon. Mr. Holton** said it was a novelty at least in the Parliamentary practice of Canada, and he believed also of England, for the House to refer any matter to a particular Minister. He held further that as this would be a charge on the consolidated revenue, it could only be dealt with on a message from

the Crown and by resolution originating in Committee of the Whole. As regarded the matter of the claims, he thought no one could dispute that in this matter all Parliaments of the Dominion should be placed on the same footing.

**Dr. Tupper** said his object was to bring the matter under the notice of the Government in such a way that they would also be possessed of the sentiments of the House in relation to it. If no objection was taken to the principle embodied in the motion, his object in bringing it forward was accomplished.

**Mr. Mackenzie** said, when he moved for these returns, he referred to this anomaly as one the Government ought to deal with. Of course it was quite unjust that the candidates in Nova Scotia should be called upon to pay expenses which in the other Provinces were borne by the Treasury of the Dominion.

**Hon. Mr. Rose** said the attention of Government would be given to the subject, and they would have to consider whether practice in Nova Scotia should be applied to the rest of the Dominion, or whether that which had prevailed in the rest of the Dominion should be applied to Nova Scotia.

The motion then dropped.

#### THE SUPPLIES

On motion of **Hon. Mr. Rose**, the House concurred in the following resolutions, reported from the Committee on Supply:—  
“That a sum not exceeding \$5,264,279 be granted to Her Majesty towards defraying the expenses of the service of the Dominion, not otherwise provided for, from 1st July, 1867, to 31st March, 1868.”

**Hon. Mr. Rose** moved, that said resolution be referred to the Committee of Ways and Means at this sitting of the House.

**Hon. Mr. Holton** said he had intended to make some remarks, perhaps somewhat extended on the statement of his honourable friend, the Minister of Finance in Committee of Supply, had opportunity been presented. That opportunity, however, did not arise, and knowing the desire of the Government and of members of this House to advance business as rapidly as possible, he should allow this stage to be taken without offering any extended observations to the House in order that his honourable friend might be able to constitute as soon as possible his Committee of Ways and Means. He felt that the Com-

mittee of the whole House was by far the best opportunity they had for discussing a question of this kind, and having lost the opportunity of discussion in committee of supply, he proposed, so far as he was individually concerned, to avail himself of the facilities which would arise when they got into Committee of Ways and Means.

**Mr. Anglin** said he had received some explanations last night from the Finance Minister, but there were some other points on which he desired information. If he understood what he had heard about the floating debt, the position was this—that up to a very recent period, when the Finance Minister began to remit to London agents the Jan. interest on our debt, there must have been in the Bank of Montreal some three millions to the credit of the Provinces, while on \$2,700,000 which we owed the bank, we paid 7 per cent, and besides that six per cent on provincial notes issued. The bank was then holding a larger sum of our money than that of our debt.

**Hon. Mr. Rose** said the amount held by the Bank of Montreal at any one day was very difficult to state, but if a return were asked for, specifying some particular day, he would see that it was prepared in twenty-four hours. The arrangement with the bank was precisely that inaugurated by his honourable friend, the member for Chateauguay, and subsequently modified by the late Finance Minister. When the amount of notes issued was sufficiently large to justify the Government in doing it, it was placed to the credit of deposit account.

**Hon. Mr. Holton** thought the Finance Minister had misapprehended the point of the member from New Brunswick. He (Mr. Holton) understood that honourable gentleman to ask as to the rate of interest Government was bound to pay the Bank of Montreal for these \$2,700,000, which loan had been renewed for six months; and whether on this large cash balance Government had the benefit of interest pending their draft?

**Hon. Mr. Rose** said the new loan was on precisely the same terms as existed previously. With reference to the floating amount which fluctuated very much, no interest was allowed.

**Mr. Smith**, asked whether the late law with respect to legal tender notes, was made applicable to the whole Dominion?

[Mr. Holton (Chateauguay)]

**The Hon. Mr. Rose** said these notes were all issued shortly after the Act passed, and a considerable amount was in the hands of Government.

**Hon. Mr. Dorion** thought his honourable friend meant, whether any of the notes had been issued since July 1st.

**Hon. Mr. Rose** said, Government issued some notes since 1st July, when they were placed at the disposal of the public with the financial agents.

**Mr. Mackenzie**—That is, the Government did it through its financial agents.

**Mr. Anglin** understood then that we were paying thirteen per cent on this money for some time.

The House concurred in the resolution, which was referred to the Committee of Ways and Means at the second sitting to-day.

#### THE NORTH-WEST TERRITORY

**Hon. Mr. McDougall** moved that the House concur in the resolutions reported from the Committee of the Whole for the incorporation of Rupert's Land and the North-West Territory with Canada.

**Hon. Mr. Holton** moved in amendment the following resolutions:—

That according to the provisions of the British North America Act of 1867, an Order-in-Council founded on an address of the Canadian Parliament to Her Majesty, the Queen, praying that Rupert's Land the North-Western Territory should be united to his Dominion on the terms and conditions to such address set forth, would have the full force and effect of an Imperial Statute, and would bind this House to provide whatever sum of money might be required to extinguish the claims of the Hudson's Bay Company upon the said territory; and that to pledge irrevocably the public funds to the payment of a large and indefinite sum for the extinction of vague and doubtful claims, would be alike unwise on grounds of general policy, and imprudent in view of the present financial position of the country; and that it is therefore inexpedient to adopt and address under the 146th clause of the British North America Act, 1867, until the nature, extent and value of the claims with which the territories in question are burdened shall be ascertained.

In moving the amendment, he said he did not propose doing more than offering a few observations first as to his own views on this general question, and secondly, an explanation of the proposition contained in the resolution which he offered to the House. He might say that before Confederation he was one of those who strongly urged the policy of obtaining this territory. He thought the mov-



er of the resolutions would bear him out when he said that when he and that honourable gentleman were in the same government, he had no firmer supporter than himself (Mr. Holton) in all these steps which he considered it necessary to take in order to assert the rights and claims of this country over that territory. Of course the doctrine held by that honourable gentleman and held also by his friends in Upper Canada who had been mainly instrumental in incorporating this question into Canadian politics was very different from the doctrine laid down in these resolutions. They held that the territory belonged of right to us and that the Hudson's Bay Company had no claim or title over it. Prior to Confederation, he (Mr. Holton) was willing to go, and in point of fact did go, with the mover of these resolutions in all those steps which he considered it prudent and proper to take in order to assert the right of this country over that vast territory; and further than that, since Confederation had been accomplished, he had felt it to be his duty to aid the Government as far as he could in carrying out in a proper way all the incidents of Confederation. He had been opposed to Confederation, not on principle, because he had no objections to union with our fellow colonists in the Lower Provinces, but because it was, in his opinion, imposed upon us before we were able to bear the burden of independence; and because, in his humble judgment, the Constitution adopted at Quebec was not such a constitution as suited the circumstances of the country. But Confederation having been accomplished and acquiesced in by a majority of his own Province, and perhaps of all of them, he came to this Legislature not to obstruct its fair working, but to aid as far as he could the object of all our politics, the good government of our country. He had felt that a natural consequence of this Confederation was undoubtedly the annexation of this territory to the country, and he had been and was now prepared to support the Government in aiding that object. Such being his position—a position which was in accord with that formerly occupied by the Minister of Public Works and by the leader of the Reform party in Upper Canada—he (Mr. Holton) had reason to regret that the Government had shown want of diligence in regard to this matter. Why was it they were only now prepared to open negotiations? Why was it they were not prepared to come down with an address which, in the contemplation of the Union Act should follow negotiations, and containing

terms upon which the territory was to be acquired, would form the final step in the whole matter? Why, he asked, was it they were not in a position to do that? Because they had failed in this as they had failed in every other duty with which they were charged as Ministers of the Crown. They got up an appearance of doing something, however, and came down with these resolutions, which, if adopted, would hopelessly bind the House and the Government to whatever terms might be embodied in the Order-in-Council which might be passed on this address under the terms of the Union Act. He went on at some length to agree that this would be the effect of the resolutions proposed by Government, and that the Order-in-Council which might be passed would have all the force of an Imperial enactment. He thought this position incontrovertible, and challenged honourable gentlemen opposite to disprove it. Then with regard to the motion, it was equally sound and indisputable. The policy it recommended was, he contended, that which had always been urged by the Liberal party of Upper Canada, and especially by the Minister of Public Works. He thought it would still commend itself not only to that party, but to the good sense of the House.

**Mr. Beatty** said he rose to express his disapprobation of the tone adopted by the honourable gentleman who had just sat down, and by other honourable members who had addressed the House on this subject. The honourable gentleman said he had been opposed to Confederation. Well, he (Mr. Beatty) could say, on the contrary, that he had supported it, and it was a source of pleasure to him now to reflect that more than ten years ago when he offered himself as a candidate for the Legislative Council of Canada, he foreshadowed events which had since occurred, and expressed the hope that the time would arrive when British subjects on this continent would be united from ocean to ocean. (Hear.) He knew the House would sympathise with him, a young member, (laughter) and if in addressing it for the first time he should betray some embarrassment, he knew he could rely on its forbearance. (Hear, hear). He looked upon the questions which naturally arose out of Confederation as the most important which could be presented for the consideration of this House. He regarded two of them as being especially important as necessary to the full accomplishment of Confederation, and as rising superior indeed to all other considerations, namely,

the construction of the Intercolonial Railway and the annexation of the North-West territory. He did not believe Confederation would ever be fully completed until these two objects were secured. He would not occupy the time of the House in reproducing arguments that had been offered in the various able speeches that had been made in favour of these resolutions, or in detailing the results of the explorations of the North-West Territory by those who had at different times been employed for that purpose. The time of the House has already been sufficiently occupied. But some of the speeches had not been delivered in vain, and he would venture to predict that that of the honourable gentleman who had had the honour of introducing these resolutions was one which would live in the memory of those who had been so fortunate as to hear it, and be read with admiration by future generations, while the speeches of those who had opposed them would be forgotten. (Hear, hear). If he (Mr. Beatty) thought for one moment that these resolutions would lead to the results some honourable gentlemen predicted, he would be the last to support them. If the extension of our Dominion were to cause deplorable effects, which some honourable gentlemen had declared it would, then he would not be found standing in his place in this House to favour it. If these resolutions were to lead to annexation with the United States, or to separation from the mother country, he for one would be the last to resist them. He was satisfied no such result would follow, but that they would tend to promote the prosperity and increase the power of this Dominion—and justify the expectation of those who looked forward to the opening up of that territory and its settlement by those British hearts of oak whose manly industry and hardihood had contributed so much to the welfare of this country.—(Hear, hear). He might give various reasons for his approval of those resolutions; but, as he had said already, the time of the House had been too long occupied by this debate. He would vote for them with all his heart, because he believed they would be another step towards cementing and consolidating the great Confederation which had been so happily inaugurated. Several honourable gentlemen had remarked upon the character of this Union, some alluding to it as a kingdom, and others regarding it as a near approach to independence. He considered that we did not occupy at all the position of a kingdom—we were a Dominion, and whatev-

[Mr. Beatty (Toronto, East)]

er power we possessed had been delegated to us by Her Gracious Majesty. He considered that this country still formed part of the British Empire, and he deplored the utterances of those who, by assuming that we were an independent people without an army, without a navy, and without means of defending ourselves, gave encouragement to the aggressive designs of the United States, and comfort to those enemies of our country who were ready on the first favourable opportunity to cross the border and make hostile inroads upon our homes. He did not mean to say that honourable gentlemen who employed this language, intended to injure their country, but he was sorry that they had indulged in it, because he believed it would have a bad effect elsewhere. Under all the circumstances, he hoped that there would be no further delay in securing the fruitful territory in the North-West. Now was the accepted hour. (Hear, hear). Now was the time to take action on this important matter, and we would be ungrateful recipients of the blessings contained in the Constitution Her Majesty had conferred upon us, if we did not hasten to extend them to that vast territory as soon as opportunity presented itself. It afforded him the greatest pleasure that under Divine Providence he had the opportunity of giving a sincere hearty vote for the immediate adoption of these resolutions. (Applause).

**Dr. Grant** said, at this advanced period of the Session, and after the able and elaborate discussion on the various resolutions on the North-West Territory, introduced by the Hon. Minister of Public Works, he would consider it unpardonable to detain the House by any lengthy remarks. The subject of these resolutions is one of the most important which has been before this House for a considerable length of time. It is one upon which in a great measure the future prosperity of the Dominion depends. The future of this Dominion as a consolidated British American Power on this continent is materially dependent upon the Union of the whole territory holding allegiance to the Crown. The influence of the Hudson's Bay Company has done much to retard the prosperity in an agricultural and commercial point of view, of this whole Northern country. Where the fur trade prospered the cultivation of the soil would not be allowed. In such bounds immigration and colonization were out of the question. It was high time that some decided action should be taken, in order to ascertain upon what terms a Union more extensive than the present might be established. The principles

of Confederation when first advanced by Canadian statesmen, were not to be confined to the Dominion as it now stands, but to extend also westward, having no other boundary in that direction than the Pacific. In carrying out these principles it was necessary to understand exactly how we stood with the Hudson's Bay Company. By some there is considerable doubt expressed as to the precise nature of our claims. The question resolves itself into two parts, the local and constitutional, and the historical. The former has already been so well and ably dealt with by the Minister of Public Works that it would not subserve any good purpose to reopen it. The latter is involved in some doubt, and requires to be approached with considerable caution. Were it not for the monopoly exercised by that North-West Company, that vast territory would now be in a much different condition in every respect. Like the hunting grounds of Scotland, from which sheep are excluded so as not to spoil the shooting, so from these northern lands, the immigrant has been kept, that the fur trade might flourish and prosper. This condition of affairs must take a radical change. The Dominion must extend from the Atlantic to the Pacific, or these proportions so essential to permanence and strength will be wanting. It is a stern necessity, to be laboured for with all the ability which Canadian statesmen can command. Should this country remain, as to the extension of territory, in its present bounds, who would be the losers? Those in the East and those in the West. Just in proportion as that vast country is opened up, and its commercial and agricultural capabilities turned to account, this new Dominion East and West will more particularly be developed. The magnificent harbours on the Atlantic seaboard will then outstrip even their present advanced and prosperous condition. They will grow and expand in magnitude, proportionate to the export and import trade that will eventually arise out of this extensive tract of country, and not alone that, but the trade by the far East, China and Japan, will pass *en route* to Europe, down the valley of the Ottawa. Thus will our contemplated Ottawa Ship Canal be of service, thus our Grand Trunk Railroad, and the Inter-colonial Railroad, and the various branches of inland navigation, which will spring up as required by the trade of the country. Under these circumstances who would oppose the contemplated object in view in these resolutions. It is high time immediate action should be taken. Do we not observe that an extensive trade is springing up between St. Paul's

and Red River settlement in consequence of the want of any direct communication between that section of country and Canada. Thus we are annually losing thousands of dollars, which instead of flowing into American coffers, might be added to the revenue of this country. The Minnesotians are thoroughly impressed with the richness of the soil and the extensive mineral resources of that country. They are aware of the fact that no finer agricultural territory is to be found on this continent than that which lies in the great Winnipeg basin, and that watered by the Saskatchewan, the Assiniboine and Red River. These rivers are navigable for thousands of miles, flow on uninterruptedly, and like the Euphrates, the Nile, the Amazon, and the St. Lawrence, water the fertile plains on either side, and stimulate vegetation in all its present wildness and grandeur. Is it any matter of surprise that our ever active neighbours should bestir themselves, and thus develop trade and new commercial relations. The Minister of Justice remarked that they are trained up to go west from infancy. Have we not observed the truth of the statement? Within a short space of time that country, once under the control of England, with its thirteen States, declared its independence, and now has grown into 36 independent States. It required no extraordinary power to produce that growth, nor is there anything very astonishing in it. These States are no doubt a vast region of fertile soil, to which the surplus people of Europe and Britain wended their way. Englishmen, Irishmen, Scotchmen, Frenchmen, Germans, etc., have taken their abode there. They have taken at the same time the knowledge and experience of their fathers, and entered a productive agricultural country with the implements of husbandry in their hands. In viewing the prosperity of a country, however, we must not alone confine our attention to superficial prosperity, for nothing is more deceptive. We must seek for good effects in the intellectual and social, as well as in the commercial growth of a people. Venice flourished in pomp and magnificence under a most detestable Government. India during its palmy days, clothed with external splendor was under subjection to a foreign power. We are pleased to observe American prosperity, and not covetous of it. At the same time, we do not admire the stanzas of the Monroe doctrine—

"No pent up Utica contracts our powers,  
But the whole boundless continent is ours."

We are satisfied with democracy as long as it does not extend beyond its proper bounds. A universal democracy would no more be acceptable to us, than a universal monarchy in Europe was to our forefathers, who fought well and shed their blood from the reign of Charles V to Napoleon, in order to prevent such taking place. (Cheers.) Canada possesses the same number of Provinces at the present time that it did when England took this country under her control, and although our Provinces are not more numerous, still a marked and substantial degree of internal improvement has taken place. A friendly feeling pervades the land, and in the midst of our prosperity we hope for a reciprocal interchange of that feeling from our neighbours. We have, it is true, lost the Reciprocity Treaty, but the results are more detrimental to American than Canadian trade, still we would be pleased to open up those avenues of trade which would be mutually beneficial. We feel that new commercial relations are gradually springing up, and this country united by a chain, fastened by one end in Halifax and moored by the other to the shore of that country, which has so glorious a name, a name every Canadian, every British subject delights in—Victoria. There is nothing to prevent our occupying a worthy position amongst the nations of the world. (Cheers.) These ideas were impressed on my mind years ago, and the worthy member for Hants had something to do in the diffusion of such. I regret he does not now in his old days attempt to realize the dream of his boyhood. The honourable member for Wellington remarked that there was no coal in that country? Such is not in accordance with the knowledge of the geological formation of the country. The material is there in considerable quantity; not only coal—but iron, lead, silver, gold and various other metals. When iron and coal exist in such abundance, they are a great source of wealth. With such materials England made rapid strides in the mechanical arts, and we in Canada may hope for happy results from such products also. The iron in Mountains of the Ottawa must smelt down under the influence of Nova Scotia coal, and the forges of our country turn out the implements of warfare if ever required. The same spirit of independence that has ever characterized us as a people, is firm as ever, and with the assurance of British support, if needed, why should not our Dominion prosper. We on this North American Continent are one people, we enjoy a common literature, we breathe the air of freedom, and alike

[Dr. Grant (Russell)]

delight in mutual prosperity. A prosperity not to be lessened by the expenditure of what may be required by the Government of the country, in whom we had full and implicit reliance, to secure this additional territory. With it our new organization will prosper, and assume that magnitude, and realize that commercial prosperity which will enable us to lessen our debt, and strengthen our position as a people. Under these circumstances he would have pleasure in recording his vote in favour of the resolutions. (Cheers.)

**Mr. Jones (Leeds)** said after the course taken by members in praising the fertility of the country and great advantage it would be to Canada, they could not refuse the Government if they asked five or ten million dollars to extinguish the claims of the Hudson's Bay Company. He would not assume any such responsibility. The question did not exclusively belong to either the Reform or Conservative party, but was in some measure supported by both. He referred to the project which was entertained by the Government of which the honourable member for Chateauguay was a member, to pay a certain amount for the construction of telegraphic communication between the boundary of Canada and the Pacific Ocean, and ridiculed the idea, stating that the Indians would burn the poles for firewood. He said that in some regions which has been praised for their fertility, wheat and barley did not ripen, and between Dog Lake and Lake of the Woods, frost remained in the ground but a few feet below the surface during the summer. After passing 49° latitude there was very little land adapted for agricultural purposes.

After the recess—

**Mr. Jones** continued his remarks concerning the severity of the climate in the new territory, and quoted authorities to show that it was ill adapted for colonization, the thermometer sometimes indicating 47 degrees below zero at Fort Garry. There were 337,000 square miles in the Dominion. This was quite territory enough at present, as half that amount of territory on the continent of Europe contains fifty million inhabitants.

**Mr. Bellerose** said we had the choice between the annexation of these territories to Canada or to the States, and Canada with them. It was a political question, greater than the financial question. We have numerous proofs of the States' desire to acquire that country, and then the independence of Canada would be greatly endangered. This

acquisition is the basis of an empire, the safeguard of our frontier, and our greatest guarantee for the future.

**Mr. Lawson**, in reply to Mr. Jones, read a number of extracts from Mr. Dawson's explorations in the North-West, describing in very strong language the fertility of immense sections of that territory. He then referred to the difficulty which seemed to loom up in the minds of some gentlemen as to the cost of defending the territory against the United States. He asserted that we had no reason to look on the United States as an aggressive nation. It was not recorded against them that they had ever wantonly invaded the countries in their neighbourhood. When they had desired territory they had offered to purchase it. He thought this continued expression of our fears about the United States was very ungrounded. The people of this country were brave and loyal, and it would be degrading to us to shape our policy by a consideration of what the United States might or might not do. We should take an example of warning from the people of that country. After they became commercially great they devoted their attention too exclusively to commercial pursuits, and failed to look after their political rights and liberties. We saw what was their position to-day in consequence of this, and we should be careful to guard our own rights and liberties, and carry out our own policy, irrespective of the views of any foreign country.

**Hon. Mr. Howe** referring to the remarks of the last speaker, said no doubt our people were brave, but in modern times war had come to be a question of needle guns, and of how many were on the one side and how many on the other. In our case it was a question of four millions against four and thirty millions, and it did not argue a man to be disloyal that he acknowledged that fact. But we were told that England would defend us. How long would that continue? The English manufacturer had to pay fifteen per cent to get any article he produced into Canada, and now when the custom houses which gave him some chance in the Maritime Provinces were swept away, and the Canadian manufacturer ran over the whole country shutting out English manufacturers by duties of 15 to 20 per cent, how long under those circumstances would English manufacturers consent to pay taxes to defend us? After some further remarks on the defence question, Mr. Howe proposed to refer to the speech of the member for Cumberland

(Dr. Tupper) of Monday night. He said that when the people of Canada got accustomed to that gentleman they would find he never made a speech of which three-fourths, as on Monday night, was not about Mr. Howe. Having replied to charges of inconsistency brought against him by Dr. Tupper, he said as the learned member was always contrasting him (Mr. Howe) with some one else, he would for the moment contrast the honourable gentleman himself with the Minister of Customs. When the Minister of Customs had pledged his word to his co-delegates at Quebec, on this measure of Confederation, he went back to his country, dissolved the House and put the measure before the people. He was beat and a second appeal was made. He might call in question the means by which that appeal was made, but it was a fact that the Minister of Customs made two appeals to his people, and had given them twice an opportunity to decide on this question, and when he came up here to Canada, he came to a large extent sustained by the public opinion of his Province. But when the member for Cumberland went back from the Quebec Conference to Nova Scotia, was it consistent that distrusting his own people he did not dare to put the measure before them? Was it consistent that he should go into their legislature and there declare the measure of Confederation was absolutely impracticable? Was it creditable to his statesmanship or patriotism that at last he got the measure carried by means which he (Mr. Howe) would not stop to characterize? Did not every man here know that the honourable gentleman's conduct in managing that great measure was now the very weakness of it, inasmuch as he had come here single, and alone, leaving behind a sentiment so overwhelming against Confederation, that every man here was more or less embarrassed and disturbed by apprehensions of what the future might bring forth. The honourable gentleman had said that while the elections were going on in Canada, certain newspapers in Nova Scotia violently attacked the existing administration in Canada and supported the Hon. G. Brown, but that as soon as Mr. Brown was beaten, the tone of the Anti-Confederates suddenly changed, and that they had offered themselves to the Government to some extent for purchase and sale. This was unjust and unfair. So long ago as the 18th of June, two or three months before the elections came off, he (Mr. Howe) addressed a letter to the people of Canada, in which he said that since the passage of the Imperial Act, he had had no

correspondence with Mr. George Brown, and had at that time no political connection with him. He and his friends had no further connection with him than that they knew who George Brown was, and what his position was in Canada. A man of his indomitable energy, great ability, and large political influence in Canada, could not but throw his shadow as far as Nova Scotia; but that was all, and long before he (Mr. Howe) knew what Mr. Brown's fate would be at his election, he had defined his own position. As to overtures to or from gentlemen opposite, they had treated himself and the other gentlemen from Nova Scotia with that frank courtesy and hospitality that was due by gentlemen to strangers, but they had not approached them with any offer or overture. They knew that the members from Nova Scotia, having put their hands to the plough, could not then turn back, and that until this controversy was fought out not a man of them could accept without dishonour any such offer, and they had consequently respected their position. He then adverted to Dr. Tupper's argument that North-West extension was necessary for the protection of our rights. Our rights hitherto had been perfectly secure, and he (Mr. Howe) believed the further our territory was extended the more our political rights and security of our country would be endangered. As regarded his argument that it would encourage immigration, he thought it absurd. Was there not land and employment and bread in Canada to attract immigrants? Had it not been proclaimed that our great want was population, and were we to be at great expense to get new lands in order to fill them by depopulating the country within the proper bounds of the Dominion? The honourable member from Cumberland, without any knowledge of finance, had taken it for granted that Nova Scotia had largely drawn from the treasury of the Dominion. It should be remembered that when Nova Scotia went into the Union, her debt was set down at eight millions, though she did not really owe that amount. She was therefore entitled to draw from the treasury of the Dominion any sum her debt was less than eight millions. If the honourable gentleman would take the trouble to examine what has been paid and what has been received by the Dominion since 1st July upon revenue account, he would find the Dominion owes Nova Scotia at this moment \$152,000. He had been charged with belittling the strength of the Dominion, and advertising its feebleness. He might be allowed to say

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that his whole life had been spent in endeavouring to elevate these Provinces—in vindicating as far as he was able when opportunity presented, the honour and manliness of his fellow subjects. He would tell the honourable gentleman (Dr. Tupper) that if the spirit in which his remarks were made should pervade the House, and if his counsels were taken, he might inflame and aggravate the forces which at this moment were subject of serious thought to every member of this Parliament, and which would go to weaken the Dominion. Whatever might become of the measure before the House, he trusted that the debate would be conducted with that calm and honourable spirit which became an assembly such as this.

Mr. Dunkin said that the question before the House had nothing to do with the domestic policy of Nova Scotia. It was simply a question whether we should have those territories now or never. Refusal to take possession of that country now would to all intents and purposes, be a refusal to take possession of it for all time to come. We must look at the consequences of our saying no, as well as the consequence of our saying yes. The opening up of this country was as much a part of the policy inaugurated in the Quebec Conference as the building of the Intercolonial Railway. He was willing to admit that there was a time when a different solution of this question was possible, but we halted then, and that opportunity was lost. Whatever the terms were upon which they proposed to receive this territory, they were not called upon to bear the whole expense of defending it. The Mother country would be still bound, and he believed would be willing to back us up with her whole strength. Why was delay asked? It seemed to spring from an unworthy suspicion, not to say fear, that England did not mean to take care of us, but was asking by this means to throw us off. Such suspicion was unfounded. True, there was a school of politicians in England who desired to throw off her colonies, and if we refused to take possession of this territory we would be playing into their hands. If that territory was worth anything to any one, it was of worth to Canada, and if she refused to have anything to do with it, it might be said with some show of plausibility that it was worth less to England. The people of Canada had more at stake in the matter than had England. The people of Canada were better qualified to deal with the question than the people of England. Let Canada take possession of this territory, open it up for settlement, develop

its vast resources, and backed as she would be by the whole strength of Britain, she would build up a country which would be the right arm of England's power.

**Dr. Parker** denied that to make acquisition under existing circumstances was the policy of the Liberal party of Ontario, as he formerly declared, it was never their policy to secure it under such terms as those proposed, nor till the state of the finances would permit. He proceeded at some length to show the enormous expense which the scheme of the Government, if carried out, would involve, amounting to a total capitalized debt of 30 millions. The reason the subject was not taken up at the Quebec Conference was that the finances would not permit, and he asked the House and the country if they were in a condition now to justify the expenditure necessary to extinguish the claims of the Hudson's Bay Company, to open up communication and to maintain a system of Government. There were three or four alternative propositions which he was prepared to support—either to create this territory a Crown colony, for the monopoly created by the Home Government to be extinguished by them, and for the Territory to be ceded free from the claims of the Hudson Bay Company. These things failing, he should adhere to the policy once announced of first addressing the Crown for the possession of the country.

**Mr. Rymal** thought the territory would cost much more than we could now afford. We were fully as great already as we should endeavour to make ourselves at present. He thought we had as much on our hands as we could take care of, in the construction of the Intercolonial Railway, and the carrying out of necessary improvements. These would give us all we could accomplish for the next 50 years. He referred to Indian troubles likely to ensue, and which might even lead to international disputes, and we should be held responsible for depredations they might go over and commit in the States. Consolidation of present territory is of more importance than its extension at present. Believing the acquisition would be detrimental to the best interests of the country, he could not vote for the resolution of the Minister of Public Works.

**Hon. Mr. McDougall** briefly referred to one or two points in the debate. He contended that the policy of the Government, of which the member for Chateauguay was a member, had been to open up the territory to occupation; but the proposition made at that time, which was rejected, was a motion to con-

struct a telegraph line, for which 500,000 pounds sterling was to be guaranteed, and also four or five per cent on the outlay. The object in view would not have been attained in that way, but on the ground taken by the Government, as stated in a minute of council, was that it was desirable to open the territory to settlement, asserting the claim to that portion which could be proved to have been in the possession of the French at the time of the cession.

**Hon. Mr. Holton** replied to the Minister of Public Works. The resolutions had been introduced without any true conception of their scope or consequences. The honourable gentleman had obviously overlooked the distinction between this and an ordinary series of resolutions on which to found an address to His Excellency. These resolutions, if adopted, and the Order-in-Council passed thereon, would have the full effect of an Imperial Act. Then it was objected that this was a motion of want of confidence. He thought it unworthy the dignity of the House to raise such an objection, which if pushed to such an extreme length as had been attempted, would deprive the House of any power of improving legislation, or interfering with the business, without raising the cry of want of confidence. This was not the ordinary Parliamentary practice in England, and it ought not to be resorted to here. He then briefly reviewed the argument in favour of his amendment, and hoped that at another stage the Minister of Public Works would condescend to answer those points, which to-night he had thought unworthy of notice.

**Mr. Mackenzie**, though agreeing with the principle of the amendment, did not see that its adoption would be of any practical advantage, while it would put back indefinitely the chance of obtaining the territory. He would therefore vote against the amendment, but without voting confidence in the Government.

**Mr. O'Connor** said that he had not intended to trouble the House with any remarks on the subject presented by the resolutions now under consideration, until the amendment proposed by the honourable member for Chateauguay showed that there was a determination to test the sense of the House by a vote. That being the case, he (Mr. O'Connor) felt that in justice to the large constituency which he had the honour to represent, and to himself, he could not give a mere silent vote; and therefore he desired to state to the House, as briefly as possible, his views on the

subject. (Hear, hear.) The question which first presented itself was, whether it was desirable that we should acquire the territories referred to in the resolutions, and make them part and parcel of the Dominion. His answer was yes—emphatically, yes. And his reasons for giving that answer were, first, whether we were to remain for a long time, as at present, a part of the British Empire—of that Empire upon whose dominions, as it has been said, the sun never sets; or whether we should before a very distant day go forth and take a place beside the Mother Country, amongst the nations of the earth, with, as the honourable member for Montreal West (Mr. McGee) had a few days ago, beautifully and pathetically expressed it, our parent's blessing on our head; in either case, by reason of the fact, that our system of Government, our institutions, and our feelings, were in their nature largely monarchical, and therefore in spirit, opposed to the form of Government which prevailed in the United States, we were destined to be, and were now, jealously regarded, as a rival power to the United States. It should therefore be a cardinal point with us while we had the resources of the Empire at our back, and while the honour and prestige of the British Crown was concerned in it, to extend our territory, and render our frontier commensurate with that of our rival, the United States. (Hear, hear, and cheers.) The second reason he would give, was, that in order to establish and maintain such a power in our peculiar position, it was absolutely necessary that our Government should rule with unbroken sway from the shores of the Atlantic to those of the Pacific, and that our country should, as undoubtedly it could, and as he (Mr. O'Connor) believed it was destined to become, the great commercial highway between the Empires of the East and those of the West. Such an extension would also place us in accord with the spirit of the age, which was to form great Empires instead of small States: as is shown by the example of the United States, of Russia, of France, of Italy, and of Prussia. The expansion would afford a field of industry, enterprise, and speculation, worthy of and inviting to the ambition of a class of young men who are fast increasing amongst us, and who, being well educated, of high spirit and enterprising, are now, after having overstocked the learned professions, and glutted the more respectable trades and callings amongst us, compelled to seek in the wider field, and more enterprising spirit presented by the United States and the people thereof,

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something worthy of their education, spirit and ambition. Of this result we have had during a few years past hundreds, nay, thousands, of examples detrimental to our country. But furthermore such an expansion of territory with its great variety of climate, soil and channels of trade would soon cause our fine agricultural and great mineral resources to be suitably developed, which, with the trade of our noble fisheries, expansive forests, and the manufactures for which our unrivalled water privileges afforded immense facilities, would render our country prosperous, populous, wealthy and great. Aye, and he hesitated not to say that we shall be raised to a position to give to civilization itself a new impetus, and be to it a beacon of light and a pillar of support. (Cheers.) The next question which presents itself and that which is principally questioned in this debate is, whether the present is an opportune time for seeking that expansion to which he (Mr. O'Connor) had alluded, and authority for which is sought by the resolutions now under discussion. He (Mr. O'Connor) would answer, unquestionably this is the time, nor, if wisdom should be exercised, could the matter be pressed with too much energy, vigor or rapidity. Because the sooner the foundation was laid, so much the sooner would the superstructure be raised; and the broader and deeper the foundation was laid the more solid would it be, and so much larger and durable would be the superstructure. But there was another reason for desiring speedy action; and it was a fact to the importance of which we should be alive, and which we should regard with jealous anxiety, that the people of the United States were desirous of obtaining control of that which was called the North-West territory; and that they were systematically and vigorously, though stealthily operating to that end, by encouraging a class of traders and speculators to go in and get control of the trade, and by that and other artifices to Americanize the people and direct their thoughts towards annexation. Besides, as the number and interests of these American adventurers increased, their hold would be firmer, and they would be enabled to put forward with a show of right, claims which if disputed would give them an opportunity and a pretext for calling on the Government of the United States to sustain them. And by appealing to the prejudices of the American people and to the cherished policy of the Monroe doctrine, an outcry would be raised which would compel that Government, even if not otherwise willing to interpose as



desired. Such was the manner in which the United States had obtained Louisiana in 1803, for \$15,000,000. Such was the manner in which they had obtained Florida from Spain in 1819, for \$5,000,000, which, however, they claimed for and got leave to pay to their own citizens, who had trumped up, and put forward those claims against the Spanish Government with a very slight show of reason. It appears evident that this consideration has obtained with the Hudson's Bay Company, and it accounts for their desire to get rid of their interests as soon and as advantageously as they can. And it may be reasonably feared that unless this country acts promptly, those enterprising Americans will strengthen their position, and greatly further their ends by acquiring the stock and claims of the company, whether well or ill-founded—a movement which he (Mr. O'Connor) hesitated not to say would in a short time be disastrous to this Dominion. For the foregoing and other reasons which would readily present themselves to reflecting minds, but which in the present impatient temper of the House, he would not take time to express, he concluded that delay was dangerous—that procrastination would serve but to increase the difficulties to be overcome, and the expense of overcoming them; and thus it may cause the failure of the whole grand design so well conceived, and up to the present time so well executed of establishing on this continent a British American Dominion, which having the necessary elements was destined to be an Empire, the ultimate limit of whose power, greatness, and splendor, only the Omniscient could foresee. Therefore, he would say with the honourable member for Toronto East (Mr. Beatty) now is the acceptable—yes, now is the appointed time (cheers.) He (Mr. O'Connor) would now proceed to examine as rapidly as he could, in deference to the impatience of members who, he saw, were desirous, at this late hour, to vote and retire to rest, examine some of the arguments which had been adduced by honourable members against the resolutions. But before doing so, he would call the attention of the House to the parties by whom these arguments were used, to their position in relation to the Ministry, and to the Government in its more general and permanent sense. It was a principle of human nature, than which no truth of the moral order was more capable of demonstration, and of which every man's experience and observation afforded him evidence, that man's intellect is swayed, and to a great extent governed, by feelings, by mere emotions. Or

as Sir William Hamilton has it, "the feelings and desires exert an influence not under the control of reason." When a man perceives an object which he believes highly desirable, if not necessary to his happiness and to the welfare of those who are dependent on him, and whom he loves, and becomes a darling object—his mind is possessed by it, his feelings are enlisted, and his intellect made captive, and he regards with enmity, bitterness, and perhaps with deadly hatred, anything which comes between him and the attainment of that object. What was thus true of every man may be applied with additional force to parties, and particularly political parties, the members whereof were bound together by community of feeling and unity of design. When the individual, or the party, argues against that which militates against individual or party interests which are the objects of strong feeling and desire, the arguments are so coloured and intensified by the feelings as to be dangerous to truth by force of the captive intellect. Arguments from such a source were to be received with caution, examined with care, and accepted for nothing more than they were intrinsically worth. In the present instance, there were in the House two parties opposed to the resolutions of the Government, who, though acting in concert, regarded the resolutions from different stand points, and opposed them for totally different reasons, and with a view to different results. First, the party (comparatively few in number, but not lacking in ability and influence) which might be designated the opposition proper, composed of those who profess to regard the present Government as a coalition formed without political necessity, and therefore as politically immoral. These gentlemen were ready to use, and on this occasion they had used, all the weapons of party warfare. Hence we had listened to strong assertions, doleful predictions, highly coloured arguments, and such expressions of dissatisfaction as might naturally be expected from a party who desired to hurl the present occupants of the Treasury benches from their seats and put themselves instead. Next we had the party composed of the majority from Nova Scotia and the minority from New Brunswick, led by the honourable member for Hants (Mr. Howe), who complained that their feelings had been outraged, that their dearest rights had been wrested from them by fraudulent means—that they had been surreptitiously forced into a union which they detested and repudiated; and which they declared themselves determined to sunder as

soon as possible, and by almost any means. Speaking under the influence of such feelings, was it not likely, and was it not observable, that the arguments of these gentlemen partook of the colour, of the bitterness and the intensity of their feelings: and that those arguments were subservient to that design which they had determined on and loudly proclaimed, of dismembering the Dominion in order that they might escape from it? They saw and felt that the passing of these resolutions would materially increase the obstacles in the way of their design. The old Roman motto was, "Delenda est Carthago"; Carthage must be destroyed so that Rome may be unrivalled mistress of the world. And the motto of these gentlemen was the Dominion must be sundered in order that they might escape from it. Hence to a settled purpose attended with strong feeling might be attributed the powerful efforts, the biting sarcasm, the burning indignation, and pathetic appeals of the Honourable member for Hants, and the denunciations not less vehement of other honourable members of his party. Therefore the cry with both parties had been delay, delay or the country would be ruined! In his (Mr. O'Connor's) opinion there had been too much delay and inaction—too long had we lagged behind the spirit of the age. (Hear, hear.) It had not been urged by any of the opponents of these resolutions that at no time should the territories in question be sought for and brought into the Union; on the contrary it was conceded that it should be done some time. With the opposition proper the time would be when they should occupy the treasury benches. With the other party it would be when they were out of the Union. These hypotheses he ventured to say, pretty fairly indicated the keys which had opened the boxes of the respective parties arrayed against the resolutions, from which had gone forth a torrent of denunciation intended by the one party to be as destructive to the Ministry, and by the other as destructive to the integrity of the Dominion, as the opening of Pandora's box was to the health of the world. The principal arguments against the resolutions were, first, that the acquisition of the territories referred to would cost an immense sum of money, which at present the country cannot afford to pay; second, that after the acquisition, protecting and retaining them in the Dominion might cost an enormous sum; and third, that no possibility of right should be acknowledged in the Hudson Bay Company. As to the first and third objections they assumed contrary to the

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fact that a large sum of money was proposed by the resolutions to be paid, and that the claims of the Company were admitted to the fullest extent. The resolution merely provides hypothetically for the settlement of any right that might be found to exist. The expenditure of money was provided against by the condition that any settlement should be subject to the approval of Parliament, to which also application would have to be made for any money which might be required. Without a provision for settlement the Government and Parliament of Great Britain would not listen to any negotiation; because they were bound to protect whatever were the rights of the Hudson Bay Company, as well as the rights of any other company or person within the allegiance of Great Britain. He (Mr. O'Connor) was persuaded that nothing fairer could be proposed than that the question of right should be settled by the judges of the land. The second objection is an extraordinary one. The bare possibility of some expenses being incurred in protecting the territory was put forward as a serious argument against organizing that which was necessary to our existence as a power on this Continent. Had such been the spirit which had obtained in the United States, could they be the great power they now were? They had spent \$15,000,000 to acquire Louisiana; \$5,000,000 to acquire Florida, and thousands of lives and millions of treasure to drive the Seminoles out of it; and nearly the same may be said of the other territories acquired by them. But we were to run no risk for expansion according to the opponents of these resolutions. Besides, if difficulty was anticipated in acquiring the territories in question, it was an additional reason why we should now proceed while the honour and prestige of the British Empire were concerned, and its military and naval power were at our back. (Hear, hear.) But nothing which he (Mr. O'Connor) had heard during this debate had astonished him so much as the speech of the honourable member for Wellington Centre (Dr. Parker). That honourable member had thundered it forth as a principle that it was "one of the inalienable rights of man to possess and cultivate the soil," and that we should assert that right by going in and driving the Hudson Bay Company out. And that barbarous sentiment seemed to find an echo from the honourable member for Hants (Mr. Howe) who had called on the Hon. Minister of Militia to call out the *posse comitatus* and assert that right with the strong hand. Did it occur to those honourable

gentlemen that the mother country was bound to protect her subjects in the enjoyment of any rights she has conferred on them, and that the proceeding which they so considerably advised would be a levying of war on Her Majesty the Queen—an act of high treason? But, aside from this consideration, which served to show that passion and not judgment had furnished the opponents of this measure with arguments, he (Mr. O'Connor) could tell those honourable members, that the principle thus evidenced was the same which had actuated the Vandals when they over-ran the Roman Empire and darkened Western civilization. It was the same which had actuated the first French revolutionists, and which had given birth to the horrors of the fearful tragedy of that period when the fair soil of France had been drenched with the blood of its best sons and daughters. And to bring it nearer home, it was the same principle which was guiding those lawless bands in the United States called Fenians, who had been giving us so much anxiety, and putting us to so much trouble and expense. (Hear, hear and cheers.) Notwithstanding the impatience evinced by many members to end discussion and take a vote, he (Mr. O'Connor) desired to trespass on their patience a moment longer. He could not sit down without referring to a passage of the speech delivered that evening by the honourable member for Hants. The honourable gentleman had spoken in terms almost boastful of the aggressive tendency of the policy of the United States; and in terms bordering on contempt of our resources and power of resistance in case of aggression from that quarter, while with the same breath he more than insinuated that the people of Nova Scotia would, if not permitted to withdraw from the Union, assume an attitude of defiance to both the mother country and this Dominion. Did the honourable gentleman mean insurrection, and an invocation of the aggressive spirit of the United States? If so, the sooner it was understood the better. (Hear, hear, and cheers.)

The members were then called in and the vote taken, when the amendment was lost. Yeas, 41; Nays 104.

**Yeas**—Anglin, Bechard, Blake, Bourassa, Cameron, (Inverness) Carmichael, Cheval, Chipman, Coffin, Connell, Coupal, Croke, Dorion, Forbes, Fortier, Geoffrion, Godin, Holton, Howe, Huntington, Joly, Jones, (Halifax) Jones, (Leeds and Grenville,) Kierzkowski, Killam, McDonald, (Glengarry) McDonald, (Antigonish) McDonald, (Lunenburg) Masson, (Terrebonne) McKeagney, McLellan, Paquet, Parker, Power, Ray, Ross, (Victoria, N.S.) Rymal, Savary, Shanly, Smith, Tremblay.—41.

**Nays**—Abbott, Archangeault, Ault, Beatty, Beaubien, Bellerose, Benoit, Benson, Blanchet, Bidwell, Bolton, Bowen, Bowman, Bown, Brousseau, Brown, Burpee, Burton, Cameron, (Huron,) Campbell, Carling, Caron, Cartier, Casault, Cayley, Chamberlin, Cimon, Colby, Crawford, (Brockville,) Crawford, (Leeds,) Currier, Daoust, Desaulnier, Dobbie, Drew, Dufresne, Ferris, Fortin, Gaucher, Gaudet, Gendron, Gibbs, Gray, Grover, Hagar, Hunt, Hurdon, Jackson, Johnson, Keeler, Kempt, Kirkpatrick, Langevin, Lapum, Lawson, Little, Macdonald, (Cornwall,) Macdonald, Sir J. A. (Kingston,) McDonald, (Middlesex,) Macfarlane, Mackenzie, Magill, Masson, (S) McCallum, McCartney, McConkey, McDougall, McGreevey, McMillan, (Restigouche) McMillan, (Vandreuil) McMonies, Metcalfe, Morris, Morison, (Victoria, O.) Munroe, O'Connor, Oliver, Perry, Pinsoneault, Pope, Poulion, Pozer, Read, Redford, Renaud, Robitaille, Rose, Ross, (Dundas) Ross, (Prince Edward), Simard, Snider, Sproat, Stephenson, Stirton, Thompson, (Haldimand) Tilley, Walsh, Webb, Wells, White, Whitehead, Wilson, Wright, Young.—104.

The resolutions were then read and passed, and on motion of Hon. Mr. McDougall a Committee was appointed to draft Address thereon.

The Committee presented report of Address, which was read a first time and ordered to a second reading to-morrow, and the House adjourned at 1.30.



## HOUSE OF COMMONS

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Thursday, December 12, 1867

The Speaker took the Chair at 3 o'clock.

### LONDON BOARD OF TRADE

**Hon. Mr. Gray** presented a report from the Committee on the nature and operation of the Bankruptcy and Insolvency laws, to whom had been referred the Bill to render valid certain appointments by the London Board of Trade. They begged to report the same, with several amendments.

**Mr. Mackenzie**, Fifth report of Joint Committee on Printing, recommending the publication of official reports at the rate of four dollars per column of fourteen hundred words, and printing the same as stated in fourth report of Committee by House Printers at contract prices. Supervision of reports to be undertaken by reporters without extra charge.

### RETURNS

**Hon. Mr. Langevin** brought down returns as to the salaries of County Judges in New Brunswick; and of the evidence, etc. as to alleged frauds by brewers in the County of Waterloo.

The Orders of the Day having been called,

**Hon. Mr. Galt** made a statement of some length, with reference to the circumstances connected with the failure of the Commercial Bank, moving *pro forma*, in order to make his statement, that the House do now adjourn. He stated at the outset that he proposed to make a statement with reference to the events which preceded and followed the suspension of the Commercial Bank. He might be asked why he had not taken an earlier opportunity of making this statement. His reason was simply this—that it would disclose that, in the course of these events, certain differences of opinion happened, unfortunately to arise between himself and his late colleagues, and he thought that in the public interest it was better no subject should be introduced at the first meeting of this Parliament which could by any possibility, in the then excited state of public opinion, lead to any angry discussion or angry feeling in

this House. He felt it was better for him to remain subject for a time to a certain amount of misapprehension and misconstruction than run the risk of putting any obstacle in the way of his friends in the Government whose policy he intended to support. He was now, however, brought to the conclusion that it was his duty, for his own defence as a public man, to make the statement he was now about to make. He was not disposed by remaining silent while a Committee of the Senate was investigating the circumstances of the late crisis in Canada West, to run the risk of that Committee presenting a report which might possibly for all future time leave him responsible in the eyes of the public for the events which he deplored in common with everybody else. He had therefore applied through his honourable friend at the head of the Government for the permission of His Excellency to make such a statement as might be necessary, and that permission he had obtained. The first intimation he received of the Commercial Bank being in any danger was in a telegram received at Sherbrooke from Mr. Holton, saying he desired to see him on public business. As he was unable then to visit Montreal, he requested Mr. Holton to come to Sherbrooke, which he did by the first train. Mr. Holton told him that the Commercial Bank, owing to the continued withdrawal of deposits was in a position of serious danger, and that they wished their case brought before the Government with a view to their obtaining a deposit of public money in order to give them an additional reserve. A meeting with the Directors of the Commercial Bank was arranged for at Montreal, on the following day. Sir John A. Macdonald, one of the Directors, was telegraphed to, but as the elections were proceeding, it was impossible for him to attend. The Directors represented that they feared the Bank would have to suspend payment unless assistance could be obtained from the Government. He (Mr. Galt) informed those gentlemen there was, in his opinion, a serious difficulty in the way of Government granting such assistance, but that he would take the opportunity of consulting Mr. Cartier, who was then in Montreal. He did so. Mr. Cartier's view as to these difficulties was even stronger than his

own. He (Mr. Galt), however, agreed to accompany the Directors to Kingston, to meet Sir John A. Macdonald, who, he found, shared the same opinion, that the Government would not, under the circumstances, be justified in interfering on behalf of the Bank. At the same time, they both agreed that the Government might possibly express such a desire to the Bank of Montreal as would induce them to give the assistance that might be required, or such securities as the Commercial Bank had in its power to hand over to that institution. This view was intimated to the Directors of the Commercial Bank, although it was impossible to obtain a meeting of Council at that time to adopt a formal decision. The assistance necessary, it was thought, would be somewhere between \$300,000 and \$500,000. Mr. Angus, acting on the part of the Bank of Montreal, in the absence in England of Mr. King, met this proposition in the most friendly way. This was on the 16th or 17th of September, and he learned next day that arrangements had been made for an advance of \$300,000, on a deposit of commercial paper. On the 15th October, being in Montreal, he was met by Mr. Cartwright and Mr. Holton, who informed him that the position of the Bank had again assumed an alarming character—the withdrawal of deposits increasing to such an extent that it would rapidly exhaust the resources of the Bank. He had then a meeting with the Directors, and the statements submitted satisfied him that the position of the bank was one merely of temporary embarrassment, arising from undue disquietude in the public mind, and that a very limited amount of assistance would enable them to overcome the difficulty. He proceeded to narrate what passed at an interview on the following day between himself and Mr. King of the Montreal Bank, who had just returned from England. He finally came to the conclusion, and it was acquiesced in by Mr. King, that the best course to take under the circumstances, was that the Government should assume the responsibility of coming to the assistance of the Bank, and that it would be well for him (Mr. Galt), to submit the case to the Government, with the recommendation that assistance should be afforded to the amount of half a million dollars. He accordingly proceeded with Mr. Cartwright to Ottawa, arriving there on Thursday, the 17th. He saw Sir John A. Macdonald, who, on the situation being explained to him, at once expressed his anxiety and desire to save the Commercial Bank from disaster; and at the

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same time agreed with him fully that serious danger might occur to other institutions and to the business of the country if a failure took place. Sir John A. Macdonald suggested that he (Mr. Galt) should see Mr. Cartier. He did so, and found that Mr. Cartier attached great weight to the objection offered on the previous application. Sir John A. Macdonald and Mr. Cartier agreed that with the pressure the Government could put on the financial institutions of the country, the necessary assistance might be obtained from other banking institutions. After consulting with Sir John, he (Sir John) came to the conclusion that it would not be expedient to submit the case to the Council. He (Mr. Galt) was unwilling to accede to this course. However, he deferred opinion here and went to Montreal with Mr. Cartwright, and had a consultation with Mr. King, a letter from whom, dated Oct. 17th, he read, in which that gentleman expressed his view on the question, when it was considered by both of them desirable that Government should come to the assistance of the Bank. After consultation with Mr. King it was deemed advisable that representatives of the Western Banks should be invited to attend a meeting in Montreal. That meeting took place on the 21st of October. He did not propose entering into the details of the events of that day, because full statements had been put forth by gentlemen present on both sides, and no gentleman who was present would refuse him the credit of saying that his efforts were all directed to reserve harmony and to bring about a measure of real relief. An understanding was come to which, in his opinion, and in the opinion of those who attended the meeting, would have produced the necessary assistance to the Bank. It was necessary, however, to communicate this to head offices, and by half-past five o'clock telegrams were received to the effect that the plan suggested could not be carried out. Up to that moment he had been sanguine that the crisis could be averted. It was then proposed by the Directors of the Commercial Bank, at a meeting at which he was present to place the affairs of the Bank in the hands of the Bank of Montreal. He felt that beyond a certain point he could not urge the matter upon Mr. King, knowing, as Finance Minister, that the Government had been obliged themselves to borrow largely from the Bank of Montreal, and fearing that to cripple that institution might interfere with the arrangement of the Government itself. He now told Mr. King that assistance could not otherwise be obtained, he would

immediately telegraph to the Government the unfortunate failure of their efforts. He accordingly telegraphed to Sir John A. Macdonald that the suspension of the Commercial Bank had been determined upon, and asked him to call a meeting of the Council, and inform him of the course to be taken, the telegraph offices to be kept open all over the country during the night. He informed Mr. King of having done so, when that gentleman at once said the resources of the Bank of Montreal might be relied upon to the utmost extent if necessary. At his request Mr. King remained with him during the night to learn the final result. At half-past 11 o'clock, he (Mr. Galt) received a telegram from Sir John A. Macdonald to the effect that he had been unable to obtain the attendance of two leading members of the Government, and desired, if possible, that the crisis should be delayed till next day. He immediately replied that that was impossible, as the banks throughout the country had been informed that the Commercial Bank would close its doors next morning, and he repeated the request that he would call his colleagues together. At half-past two o'clock in the morning, he received the following telegram from Sir John A. Macdonald:—

To Hon. A. T. Galt, *Private*

Council met and considered your telegrams giving information as to the condition of the bank, the character of the security offered, and the reason why the other banks declined to help, insufficient to warrant any other action by the Government.

(Signed) John A. Macdonald

When he received that telegram it produced a feeling of deep disappointment, and his first enquiry was whether the telegraph office was still open. The messenger replied that the agent at Montreal on receipt of the message had not considered it necessary to keep the offices open in the West, and therefore he had no further means of communicating with his colleagues. He had therefore to face the failure of the Bank and its possible consequences. He felt the delicacy of the position in which he was placed by the telegrams which had been sent to the country by Sir John A. Macdonald, and that as Finance Minister the whole responsibility would fall on his shoulders. His feeling of disappointment was also increased by the thought that he was in the painful position of being deserted by his friends. He had believed that as Finance Minister he possessed the confidence of his colleagues, and felt at the time that they should not have deserted him. He had not recommended to Sir John A. Macdonald

that any assistance should be given to the Bank, because he was aware that he (Mr. Galt) had been to Ottawa for the express purpose of urging that such assistance should be given. As Finance Minister, he was looked to by the country for the maintenance of its credit, and he found himself in the position of being supposed to have the power, while he really was incompetent to save its credit. Under these circumstances, he felt there was only one course for him to pursue, to place his resignation in His Excellency's hands. Therefore he addressed the following letter to Sir John A. Macdonald:—

Montreal, Oct. 22, 1867

My Dear Sir John:

At 2 a.m. I received the following telegram from you: 'Private—The Council met and considered your telegrams, giving information as to the condition of Bank, character of security offered, and reason why other Banks declined to help, insufficient to warrant any action by Government.' The grounds stated for the refusal of the Government to act, appear to me to imply both censure and want of confidence. As regards the alleged want of information, I must remind you that I went to Ottawa with Mr. Cartwright, the President of the Commercial Bank on Thursday last, for the purpose of submitting the whole case to the Council, and only at your express desire abstained from doing so. The whole slate of facts was then known to you and also to other members of the Government. If you supposed any changes had taken place, you could have sought and obtained this information by telegraph last night, before adopting the resolution you have communicated to me. Had the Government seen fit to rest their decision upon the want of proper authority, or the inconvenience of establishing a precedent, I might have consented to share the responsibility of this action; but I must decline to do so upon the grounds stated in your telegram. I have, therefore, only to place my resignation in your hands, and to request that you will submit the same to His Excellency, the Governor-General.

Believe me, etc.,

A. T. GALT.

That letter was mailed on the 22nd Oct. On Wednesday morning, Sir John A. Macdonald telegraphed him that he had entirely misunderstood the action of the Council, and that he wished him to come up to Ottawa. He (Mr. Galt) replied that he must decline acceding to the request, and that explanation must be in writing. Sir John then did him the favour of telegraphing that he had engaged a special train to come down to Montreal. On Thursday, the 24th, they met about two o'clock in the afternoon, and Sir John stated to him that he quite misunderstood the intention of Government, who by no means wished to throw the responsibility on him, or that he or any of his colleagues had any talk of confidence in him. Considerable discussion ensued,

but he (Mr. Galt) still remained under the impression that he should be obliged to adhere to his first resolution. However, Mr. King subsequently read to him a telegram informing him of the excitement in the West, and of runs upon the Royal Canadian and other banks, and urged him strongly not to give up the charge of the finance of the country at the moment when the crisis had come. There was the more force in his demand, inasmuch as he had made every provision for the crisis if it should arise. He (Mr. Galt) finally made up his mind to accept frankly the explanation of Sir John, but told him he must have this in writing, as the telegram which he had sent was on record. The question then arose as to the means to meet the difficulty. Sir John left for Ottawa, assuring him that Government would give him any support he might desire while he remained in Montreal. Next day, 25th, passed without any material change; but it was plain that the efforts which were being made by the other banks to maintain themselves would be successful. With regard to the 26th, he would be obliged to trouble the House with several telegrams. It was really the important day of the crisis. He first received a telegram from Sir John A. Macdonald, in which he suggested that it might be desirable that he (Mr. Galt) should proceed by special train to Ottawa. He replied that he did not think this necessary, as he could avail himself of the following day (Sunday) for the purpose of communicating if occasion arose. He answered that he thought he (Mr. Galt) was quite right in remaining in Montreal. He then received, at 2:30 a.m., a telegram from Mr. Howland, informing him that he (Mr. Howland) had telegraphed that public officers of the Government would receive the notes of all chartered banks except the Commercial Bank and the Bank of Upper Canada. He had little doubt the step taken by the Government and banks would go far to allay distrust. He telegraphed to Sir John A. Macdonald his information did not lead him to believe things so serious—that Mr. King had telegraphed to receive all notes. On Monday morning he said that he had better wait in Montreal, and that there was no justification yet for the measure proposed. Sir John A. Macdonald answered to come up by all means, and bring Mr. Tilley with him. He accordingly returned to Ottawa, but Mr. Tilley remained in Montreal. He was bound to say here that he was disappointed at the telegram having been sent to public officers throughout the country under the signature

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of any other member of the Government than himself. It having been signed by Sir John A. Macdonald might lead, he feared, to the conviction in the public mind that Government had decided on a policy which distinctly differed from his own. He arrived in Ottawa on Sunday morning, at 10 or 11 o'clock. He took this opportunity of dissenting from those who had criticized the action of the Government in meeting on the Sabbath. He had as much respect for that day as anybody, but could not see wherein it was a violation of Christian principle to make an effort on that day, if necessary, to avert disaster to the country. (Hear, hear). Well, the Council met on Sunday, and the first question which came up, was the policy they should adopt with reference to the crisis then actually prevailing in the Province. He urged the duty of the Government giving every assistance to the Banks, and it was unanimously agreed that the Government would, if necessary, do so, on Monday morning. He informed the Council that the most effective way of doing so, if they apprehended danger, would be largely to increase the stock of specie at Toronto and Montreal, and that Provincial Notes should be sent to all points of danger, so that it would only require a telegram on Monday morning to put the crisis at an end. The question then was, whether the Government was called upon to render this aid. No application had been made to them by the Banks, and there being a feeling that such applications would be useless, they sent a telegram on Sunday to Bank agents in different parts of the country, asking them to ascertain what were the views of the Western Banks in regard to the progress of the panic, and then meet it. Replies were received from numerous quarters, and he read that of Mr. Smith, of the Royal Canadian Bank, as being similar in tenor to all of them. Mr. Smith said:—

The Bank of Montreal having yesterday, at several points, refused the bills of other Banks, will have the effect of increasing the panic, which was subsiding. Should another Bank suspend, all must follow, and universal bankruptcy ensue. Think all the Banks can redeem unless panic is intensified. Meantime all discounts are stopped and business is suffering. Wheat has declined 20c.

The Government then sent this message, signed by himself, to Mr. A. Fisher, Ontario Bank, Toronto:—

Government have already instructed their officers and the Bank of Montreal to receive public dues in notes of Banks. We cannot instruct the Bank of Montreal beyond this point without assuming the responsibility of all their business, which form of aid could not be adopted. We have requested Mr.



King to go as far as consistent with safety without our actual guarantee. He informed us the refusal arose from mistake of instructions at Kingston, and we understand all current Notes will be taken by the Montreal Bank to-morrow. Keep us advised.

There was no reply to that message and the banks did not make application for aid. Government sent this message at the same time to Mr. King:

Government are informed that they believe the panic will subside if the Bank of Montreal continue the usual courtesies. Government trust you will be able to do so, consistently with your own safety; but we do not guarantee your collections beyond those paid in by public officers.

They also sent this message to Mr. King:—

Government wish you to increase our specie reserve at Toronto by transfer of gold from Montreal; also to send up further supply of notes payable in Montreal. Small denominations likely to be most useful. This is precautionary.

They received this message from Mr. King in reply on the same day, 27th:

We have already given instructions to receive all bank notes except the Commercial Bank and Bank of Upper Canada. Our wishes are those of the Government, and in this emergency we regret to receive no encouragement to look beyond our own safety. The Bank holds specie at Montreal and Toronto in excess of Government reserve which is quite at your service. We telegraphed last night offering assistance to the Bank most in danger.

On the same day, he (Mr. Galt), telegraphed to Mr. King:

Let me know your advices from the West to-morrow. If the run continues and extends it will probably be necessary for you to accompany me to Toronto.

That closed the telegrams on Sunday—on Monday, Mr. King addressed the following letter to him (Mr. Galt), which he had Mr. King's permission to read:—

Montreal, 28th Oct.

My Dear Mr. Galt:

Your note by Mr. Cartier reached me this morning. I think it right to say that I fully understood the effect of the advertisement which appeared in this morning's paper, that 'Government would receive the notes of chartered banks,' etc. It placed this bank, which had no circulation, and which is the agent of the Government, in the unenviable position of electing to take very heavy risk by receiving notes of other banks indiscriminately, or of incurring the great unpopularity of defending itself, as it has a perfect right to do, by refusing any bank note. If the measure taken by the Government was of itself sufficient to restore confidence, I would not have thought so much of it; but I well knew, and so do the Banks themselves, that the Government advertisement would not have been sufficient if we had discredited to-day; and it is for that reason I feel that the Government threw all responsibility upon the Bank, its own agent, without consultation or asked our co-operation until telegrams had been sent over the country. I

do not, of course, mean to say that Government would not be prepared to take any responsibility that the exigency of the public interests might demand; but I think it will be admitted, on reflection, that the course that was taken was not of itself sufficient, and placed us in an invidious position, such as we hardly deserved. It is true that Government could not be expected to endorse all the banks at such a moment; but if they could not, could we? At least, the Government might have stood by us for one day. If the Bank had joined in the advertisement, the panic was at an end; if the Bank had discredited the other Banks, who can tell which of them would have stood. It was a serious responsibility, and I took it in the best interest of the country, but I would not be frank if I did not let you see that I feel that the Bank hardly received that consideration which it might have expected at this critical period. I am of course aware that the telegrams were despatched by Council before you left this city, and there is no doubt on my mind that the full bearing of the measures that were taken, and the effect of your telegrams last night, that we must consult our own safety, were not fully appreciated.

(Signed) E. H. KING.

On Monday morning, continued Mr. Galt, when the Council met, they were glad to find by intelligence from all parts of the Province that the panic had really subsided, and that there was no apparent demand upon the Government to come to the assistance of any of the Banks. He then read a letter from Sir John A. Macdonald, written with the desire, he (Mr. Galt) had expressed, disclaiming any intention on the part of the Government in framing their telegram to throw upon him the responsibility of the failure of the Commercial Bank, in consequence of the course the Government had pursued in not coming to the assistance of that institution, and recognizing in the fullest manner the efforts he (Mr. Galt) had made to avert the suspension. In concluding, he (Mr. Galt) said it was extraordinary that imputation should ever have been cast upon him as Finance Minister and the manager of the largest banking institution in the country, of deliberately attempting to bring about the failure of one of the most important banks in the country. Should he (Mr. Galt) have put himself in that position on the eve of meeting Parliament, and having besides personal interest in the Commercial Bank, he would have shown himself a fitting candidate for a lunatic asylum. And as for the Bank of Montreal, it was equally absurd to make such charges against it, because it must necessarily as the largest banking institution in the country, have suffered most by the financial panic. He hoped the explanation he had given would satisfy the House that he was not open to that charge, but that he had endeavoured

to do his whole duty in the very anxious and trying position in which he had been placed. (Hear, hear).

**Mr. Bedford** charged the failure of the Commercial Bank, as well as the Bank of Upper Canada, upon the Government plan of issuing provincial notes.

**Sir John A. Macdonald** said his honourable friend, the member for Sherbrooke, had very accurately stated the circumstances, so far as the Government was concerned, connected with the failure of the Commercial Bank. He had no hesitation in saying his honourable friend had laboured assiduously and earnestly in order to avert that disaster. The position his honourable friend and himself (Sir John) had occupied, was one of great delicacy. They were, as Ministers of the Crown, bound to guard the public interests; while, personally, they were pecuniarily interested in the bank. When negotiations were first opened for the relief of the bank, the elections were still going on, and the Government had no assurance that they had the confidence of the people. Until such assurance that they had the confidence of the people was given it would have been peculiarly improper for Government to have taken any action in support of a monetary institution that might involve a charge upon the public revenue. They also regarded it as a primary duty of the Banks themselves to come to the assistance of any one of them that might be threatened, provided it could show such a state of affairs as would warrant them in making common cause together. That was the effect of a communication made to Mr. Cartwright when he came to Ottawa to seek the assistance of the Government. With reference to the telegram sent to his honourable friend giving the result of the deliberations of the Council, he (Sir John) had signed it as first Minister. It would not be proper to state what were the individual opinions of members of the Council upon any matter on which joint action was taken, nor was it of consequence to know what were individual opinions upon this subject. His honourable friend had felt disappointed at this decision of the Council, because he thought it did not show he was sustained by his colleagues, but it was arrived at by Government in consequence of the feeling that other banks having failed to come to the rescue of the Com-

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mercial, it would have been exceedingly hazardous and unsafe for Government to have taken that step. It was with this view of ascertaining the reasons why the other banks had failed to come to its relief that the telegram was sent to his honourable friend, and not with the desire to throw on him any imputation or responsibility which they had not already shared with his honourable friend. There was another matter to which his honourable friend had referred, the message sent to agents, signed by himself (Sir John). On reflection, he thought it would have been better and more regular if it had first been sent to his honourable friend and been signed by him. There was no particular object in the failure to do this, and the telegram was sent off on the moment for the sole purpose of correcting a wide-spread idea that the Bank of Montreal and the Government had refused to receive the notes of the chartered Bank, and of preventing a panic which might have assumed gigantic proportions. He (Sir John) expressed the regret which he and his colleagues had felt at his honourable friend leaving them, and bore testimony to the efforts he had made to avert the calamity which had befallen the Commercial Bank.

**Hon. Mr. Dorion** thought it was very proper that when a change took place in the administration they should give the fullest explanation to the public, that the House might be able to judge of the cause of that resignation. The cause of difference in this case was, that the Government were not willing to go so far in rendering assistance to the Commercial Bank as the Minister of Finance recommended them. It was therefore evident that the honourable member for Sherbrooke would be exonerated from the charge brought against him of not having done everything in his power to prevent that failure—after having tendered his resignation he withdrew it, thereby accepting his share of responsibility. He thought patriotic motives took the responsibility of an act which was not his own, and which he did not approve of to prevent a great damage being done to the country. It was not until the 21st November that he again tendered his resignation for private reasons, when there seemed to be no cause for it whatever. The public would judge that the cause of his resignation was

that his colleagues had not shown him that confidence to which he was entitled. He was willing to award him the highest praise for his patriotism, but he did not think the public would be satisfied to be deprived of his services when there appeared to be no public grounds for his withdrawal from the Government.

**Mr. Mackenzie** said when the honourable member for Sherbrooke announced his reasons on a previous occasion for resigning, he assigned private reasons, but he gave us to understand that it was purely on account of the public feeling in regard to the failure of the Commercial Bank. When they understood that honourable gentleman was to make further explanations, he expected something further than mere justification of his personal position, and an exposure of the position of the Government at the time of this crisis. Something more should have been given to serve as an excuse for taking up the time of the House.

**Hon. Mr. Galt** felt an apology was due to the House for occupying its time, but as an old member of the House, and occupying the position of Finance Minister for some years, he was entitled to a hearing, for the purpose of preventing what he believed to be injurious views being held by the country in regard to himself. He would not go beyond the statement he had made, because he believed it was complete in all its parts, and covered all the history of the past. He felt it was necessary for his own usefulness as a public man to put himself right before the public.

**Hon. Mr. Howe**, though not personally concerned in a matter purely Canadian, yet had listened with a great deal of pleasure to the statements of Mr. Galt. It was but an act of justice to that gentleman that he should have this opportunity of coming forward and explaining before the country his position with reference to the failure of the Commercial Bank. He gave the Government every credit for an anxious desire to prevent the crisis. He was glad aid was not extended by the Government to the Commercial Bank. He justified Mr. King in the course he had taken. No Bank any more than a private individual had a claim upon another Bank to sustain it when it had mismanaged its business, and certainly no Bank should have any claims upon the Government. If the Government had assumed the responsibility of sustaining the Commercial Bank at the risk of having to sustain all the other Banks in the country

they would have been more abused than Mr. King had been, and justly so. If the Bank would mismanage its affairs, and prepared the way for panic, it should take the responsibility. The Government should have nothing to do with any bank further than having a bank agent and cashier, and should be able at any moment to pay the bank off and set it at defiance. No encouragement should be given to the idea that the Government has power to save or sustain any bank. The Government should be in a position to say at any moment to Mr. King, or any other bank manager, if you attempt to do anything which will bring shame or discredit upon the Government, or weaken the country, we are prepared to change our account.

At six o'clock the subject was dropped.

#### INTERCOLONIAL RAILWAY ROUTE

After the recess, a petition of the Quebec Board of Trade was presented, praying that the North shore route be chosen for the Intercolonial Railway; also, another petition from the same Board, praying for certain amendments in the regulation of the Postal Service Bill.

#### OTTAWA AND ST. LAWRENCE RAILWAY

The Committee on Railways, etc. presented a report recommending the passage of the Bill to incorporate the Ottawa and St. Lawrence Railway Company, as amended by them.

#### EXCISE DUTIES

The House then went into Committee of Ways and Means—Mr. Crawford in the Chair.

**Hon. Mr. Rose**, in the absence of the Minister of Inland Revenue, submitted a resolution in relation to the Excise Duties. The first resolution repealed all existing laws now in force throughout the Dominion. The second proposed to impose on spirits manufactured in Canada a duty of excise of 60¢ per wine gallon. This is simply extending the old law of the late Province of Canada to all the Provinces. The third resolution imposed on malt manufactured in Canada a duty of one cent per pound. The present rate is three cents per gallon of beer, so that there is

very little difference in the result, as it took about  $3\frac{1}{4}$  pounds of malt to make a gallon of beer. The effect of the change is simply the collection of duty, prevent temptation to fraud, and make the duty more equal on different qualities of beer. Under the existing law, maltsters paid the same duty; under the proposed change, the duty will be paid according to the amount of malt used. A considerable quantity of fermented beverages was manufactured from molasses and other articles other than malt; for these beverages the fourth resolution proposes the same duty as upon beer made from malt, namely  $3\frac{1}{4}$  cents per gallon. The 5th resolution referred to the existing duty upon tobacco and cigars. The principal change proposed was to limit the range of the various grades of tobacco. Under the present law, there were four different grades from different qualities of tobacco, upon which different duties were imposed. Upon common twist, 2¢; common cut, 5¢; cavendish, 10¢; and fine cut, 15¢. It had been found difficult to draw the line between these different grades and resolutions proposed to substitute for these four grades, only two with the duty of 5¢ and 10¢ per lb. respectively. The effect of the change would simplify collection, while the amount collected would be about the same. The House would perceive that it was proposed to impose a duty of \$1 on every thousand cigars of value not over \$10. The present rate was \$1 per 1,000 of value under \$4. It had been found impossible to manufacture a thousand cigars of value under \$4. The very labour employed in the manufacture far exceeded that amount; consequently there was a temptation for manufacturers to return tobacco at a lower price than it was really worth, in order to bring it under \$1. In reference to the 6th resolution, it had been found necessary to have some market to which they could always refer as a standard for the value of goods manufactured in bond. They had therefore taken the market of Great Britain as a standard. The eighth resolution settled the amount of license fee to be paid by brewers, etc. At present, one license was issued for a distillery; another for rectifying; another for a brewery; and a fourth for the malting. Now, it was proposed to issue the license for distillery and rectifying, amounting to \$250; another for malting, \$200; and, third, \$50 for brewing, manufacturing tobacco, and manufacturing in bond.

**Mr. Young** wished to know if, in small distilleries where malting and distilling were

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carried on together, they would have to pay for both licences amounting to \$450.

**Hon. Mr. Rose** Yes, they would have to pay for both licenses.

**Hon. Mr. Holton** presumed the object of the resolution was to extend existing laws of the old Province of Canada to all parts of the Dominion, making very slight changes in the rates. He supposed there could be no doubt of the propriety of that; but he would recommend that debate on the resolutions be postponed until they come up for concurrence to-morrow. In the meantime, they would have an opportunity of examining them. It was manifestly convenient that they should go through committee as rapidly as possible, so that instructions might go out to-night.

**Hon. Mr. Rose**, in answer to the question, said those who manufactured tobacco or brewed beer for their own use, had no duty to pay.

**Mr. Anglin** said the returns of trade and navigation in New Brunswick for 1866 showed the amount of manufactured tobacco entered for consumption to be 728,785 pounds, on which a duty was paid of 4 cents per pound and 3 per cent *ad valorem*; and 124,298 pounds of manufactured tobacco, on which there was no duty but 3 per cent *ad valorem*. Under the increased rate now proposed, New Brunswick, on the article of tobacco alone, will during the ensuing year pay \$47,897 more than they paid in former years. Now, they had never paid any duty on ale and porter. The returns of New Brunswick did not give the amount of the articles consumed in that Province; but taking the quantity consumed in Canada, and comparing it with the population of the two Provinces, it would be found that they would have to pay in ale and porter \$60,449, which they never had to pay before. He supposed there was no use protesting against this thing. They had expected nothing better from Confederation. He had warned the people of New Brunswick of this.

The 1st, 2nd, 3rd and 4th resolutions were then passed.

On the 5th resolution,

**Mr. Harrison** regretted the restrictions upon the manufacture of common Canadian twist tobacco. Under the existing law, manufacturers frequently imported leaf and manufactured it in Canada. Now the 5¢ duty was confined to the growth of Canada.

**Mr. D. A. McDonald** thought the duty on tobacco was not fair. The same duty was to be paid on all qualities. The 27¢ and 28¢ tobacco, which was commonly used, had to pay the same duty as the 60¢ or 80¢ tobacco, namely 10¢ a pound. There should be a distinction as to quality.

**Hon. Mr. Rose** said it had been found expedient in England to reduce the number of grades. It diminished the temptation to fraud and simplified collection.

**Mr. Young** said the effect of the 8th resolution would be to do away with small breweries altogether, and place a monopoly of the trade in the hands of large establishments.

**Mr. D. A. McDonald** said the smaller distilleries had to pay the same licence as the large ones.

**Hon. Mr. Rose** said it cost as much to supervise a small distillery as a large one. The license was a very small proportion of the amount paid to the revenue. The excise duty paid by the different distilleries proportioned the burden existing.

**Sir J. A. Macdonald** admitted it would tend to some degree to break up small distilleries; but he believed it would be better for the country at large.

**Mr. Young** thought it would be injurious to place the whole trade in the hands of a few, as they might combine as to the price.

The resolutions were then passed.

### THE TARIFF

**Hon. Mr. Tilley** moved the resolutions respecting the Tariff. He remarked that the Finance Minister had set down \$9,121,900, as the amount he expected to receive from Customs. In making this estimate, a good deal of difficulty was experienced, owing to the different circumstances under which they were placed. Intercolonial trade was now free of duty. The duty in the lower Provinces has hitherto been less than in Canada, and a considerable quantity of goods has been imported into those Provinces, which will be forwarded to the West as soon as this law comes into effect, which abolishes the duty between the several Provinces. But they had these data:—In 1866, under the tariff of Nova Scotia and New Brunswick; and in 1867, under the tariff of Canada, the united amount received from customs was \$9,286,635—about \$160,000 more than the Finance Minister es-

timated would be received next year from the whole Dominion. In addition to these data, they had returns for four months since 1st July last, showing the amount received from customs to be \$3,581,080. Therefore, they might fairly conclude that the estimate of the Minister of Finance was reliable. The Government felt the necessity of having as far as possible a fixed and settled policy with reference to the tariff of the country, that unless some extraordinary expenditure had to be met, the tariff now to be enacted should be one that would stand for five years, so that importers might invest with security. This added to the difficulty Government experienced, and as they could not decide with any certainty what tariff would be required, they had thought it better not to come to a definite conclusion with reference to what might be considered a permanent tariff, but merely to assimilate the tariffs as far as possible throughout the Dominion. He proceeded to advert to the proposed changes in the tariff which, he said, were very limited in number, as far as Canada was concerned, but very extensive as regarded Nova Scotia and New Brunswick—particularly Nova Scotia—the New Brunswick tariff having been to a great extent assimilated to that of Canada last Spring. He would mention the changes as compared with the tariff in the late Province of Canada, on spirits, including brandy, gin, rum, whisky, etc., the duty would be 80¢ per gallon instead of 70¢. In Nova Scotia, the duty on whisky and gin was now 90¢; on rum 75¢; and on brandy and other spirits, \$1.20 per gallon. In New Brunswick the duty was 80¢ on brandy, 70¢ on rum, and 60¢ on gin and whisky. The duty on all spirits would now be 80¢. A large increase of revenue was not expected from this source, as the spirits consumed in the Dominion would be largely Canadian manufacture. Brandy, however, and other imported spirits would no doubt yield additional revenue. As regards tobacco, that which will pay 10¢ excise will pay, as at present, 15¢ specific, with an addition to former tariff of 5 per cent *ad valorem*. The class of tobacco paying 5¢ excise being that manufactured from tobacco grown in Canada, does not of course come within the class of articles charged with customs duties. Domestic wines now paying 15 per cent *ad valorem* will be charged specific duty with other wines. Ginger, orange, lemon, currant wines, etc. containing not over 25 degrees proof, will pay 10¢ per gallon; and from 20 to 42 degrees

proof, will pay 25¢. Some of these wines contain large quantities of alcohol, and although the change does not affect the revenue materially, it would prevent the imposition on revenue which might take place on the 15 per cent *ad valorem* basis. On malt, he proposed to put 40¢ a bushel. The next change he would mention affected the article of tinctures. This had been brought under the notice of Government as one of the articles, too, which was largely manufactured in this country, and it has been determined to put a specific duty on it of 30¢ per gallon. Then it was proposed to reduce the duty on tea and molasses. The Canadian tariff with respect to tea was found not to act fairly as regarded the Lower Provinces. Tea in Canada paid at present 15 per cent *ad valorem* and 7¢ per pound. He proposed that green tea should remain at that rate, but that black tea should pay 15 per cent *ad valorem* and 3¢ per pound, the specific rate being reduced one half. The increased duty received from Nova Scotia and New Brunswick would make up the loss in Canada on this article. The present rate on molasses which in Canada was in the interest of the refiners would press hardly on the Lower Provinces. At present, it was 73¢ per hundred weight. He proposed it should be 73¢ if used for refining purposes, and 55¢ if not so used, which was equal to 5¢ a gallon. These were the principal changes proposed at present. The sugar question had been considered, but the Government had not sufficient evidence to justify them in coming before the House at the present time to ask a change. They proposed to take till next part of the session more thoroughly to investigate the matter, and if a change was found desirable to introduce a system which, while it would not injure refiners, would give ample encouragement to importers and would do something to sustain an interest very important to the Maritime Provinces and to the whole Dominion, namely, the West Indies trade. The free list would be the same as that in the late Province of Canada, except some changes in the description of articles. It included an immense number of articles which in Nova Scotia had hitherto paid duty. Some change was made in the description of machinery for manufacturing purposes. The duty on flour and meal which was formerly 50¢ per barrel in the Canadian tariff would be 25¢—the same as in Nova Scotia. In New Brunswick hitherto it had been free. Corn remains as it is, 10¢, because he found it entered largely into the manufacture of spirits. In the old Canadian tariff, ship-building materials were free when

[Mr. Tilley (Saint John)]

imported by ship-builders for ship-building purposes. This would have been unfair to the Lower Provinces, where these articles were imported by other than ship-builders, and that qualification was therefore struck out, except with reference to cables, cordage, sail-cloth, canvas from No. 1 to No. 6, varnish, black and bright, which were free only when used for ships or vessels. He believed, as regarded Nova Scotia, that taking the \$60,000 or \$70,000 which had been paid on the 5 per cent, and adding the 10 per cent transferred to the free list, and articles that paid 20 per cent reduced to 15—all this would go far in the reduction of the increased customs arising from the increase of the 10 per cent to the 15 per cent. The Government hoped before the session closed next May, the tariff would be put in a permanent shape, such as might be expected to last for four or five years, with such slight alterations as might from time to time be found necessary, for he scarcely expected a reduction, looking at what would be increased expenditure for the Intercolonial Railroad. It might be found, too, that manufactures would increase so rapidly by the extension of the number of customers that certain articles of importation might diminish, and it might be necessary to take this into consideration.

In reply to Mr. Benson,

**Hon. Mr. Tilley** said the export duty on lumber applied only to Ontario and Quebec, as in Nova Scotia and New Brunswick the power of levying export duties was confined to the Local Legislature. The duty at present was on every 1,000 feet of pine, \$1; ditto spruce, 50¢. It was now proposed to make it—saw-logs, pine, \$1; saw-logs of all other kinds, 50¢; shingle bolts and stave bolts, per cord, \$1.20.

**Mr. Benson** thought the export duty should be made \$4 per thousand, as it was the American purchasers who paid the duty.

**Hon. Mr. Cartier** then repeated Mr. Tilley's explanation in French.

**Hon. Mr. Tilley** moved the 1st resolution, declaring the expediency of having one uniform tariff for the whole Dominion. Carried.

**Hon. Mr. Tilley** then moved the second resolution relating to Customs duties.

**Hon. Mr. Holton** observed that on brandy and spirits it was proposed to raise the duty from 70 to 80 cents, while the excise remains as it was. He had heard his honourable friend

a little while ago speak of the free trade policy of the Government. He should like to know whether this was the part of the free trade policy which the member for Sherbrooke, in proposing his Bill last session, said was to lead to entire free trade throughout? The whole tariff of the present Minister of Customs seemed to be adopting a reactionary policy; he would like to know whether their free trade views were to be abandoned.

**Hon. Mr. Tilley** did not know that he had said anything about free trade. If the policy of last session was a free trade policy, then this was also.

**Hon. Mr. Holton** said this was a proposition to increase the discrimination between customs and excise. We had been led to believe Government intended to assimilate the commercial policy of the Dominion to that of the Empire, and now the first proposition was founded on a reversion of the old exploded protectionist policy.

**Hon. Mr. Rose** contended that it was impossible under the existing rate for distillers in Canada to compete with distillers in the States in consequence of their being able to manufacture whisky from damaged wheat.

**Hon. Mr. Galt** could not concur in the view of the Minister of Customs, nor was he convinced by the argument of the Finance Minister. The duty on corn was equal to 2½ cents per gallon, and he believed returns would show that the larger part of the whisky was produced by Canadian distillers. More than that, the returns of imports of whisky would not bear out the statement made by the Finance Minister. He (Mr. Galt) was reluctantly brought to the conclusion that the Government had decided to increase the protection to Canadian distilleries, and he thought it was a move in the wrong direction. One reason why customs and excise duties were placed on a par was to encourage our foreign trade, especially with France from which country we had received every facility to prosecute that trade.

**Mr. Read** could not agree with the member for Sherbrooke, practical experience teaching him that this small protection now proposed was essential to enable a Canadian distillery to continue operations with any profit.

**Mr. Kirkpatrick** took the same view. Without this slight protection, local distilleries could not be kept working, and one of the great markets for farmers would thus be cut off, leaving them to the mercy of speculators.

**Mr. Anglin** could not pretend to enter into a consideration of the subject without some time for examination, and he hoped the matter might be left over till to-morrow. The duties could be enforced in the meantime, and if any portion of the tariff was not adopted they could be refunded. A great deal of additional taxation was proposed which would prove very burdensome to the people of the Maritime Provinces. He felt bound to resist by every reasonable effort, every endeavour to increase taxation on the people. He argued that the duty on flour would press very heavily on the people of the Maritime Provinces.

**Hon. Mr. Rose** agreed with Mr. Anglin, that the House was not prepared to discuss the resolutions, and he thought that the Government should at once be empowered for the protection of the revenue to put it in force, leaving to the House an opportunity of discussing the several items at a future stage, and in case of change, parties could have the benefit of the refund.

**Hon. Mr. Tilley** felt the full force of the remarks just made, especially with respect to the Maritime Provinces, and if the House would pass the resolutions to-night, so that the tariff might at once be put in force throughout the whole Dominion, the Government would be prepared to allow the fullest freedom of discussion on the motion for concurrence.

**Hon. Mr. Smith** protested against the burdens about to be imposed upon the Province of New Brunswick. He instanced the increased duty on spirits, the tax on flour, on bank note circulation, postage on newspapers, etc., additional imposts, and desired to see the votes of members recorded on every item.

**Hon. Mr. Rose** said this could not be done in Committee—it could only be done when the Speaker was in the Chair.

**Hon. Mr. Tilley** said, as Parliamentary practice had been entirely different in New Brunswick, he could well understand the position of his friend (Hon. Mr. Smith). Here, however, the practice was entirely different. If the House would accept the resolutions to-night, then they would be put in force to-morrow by means of the telegraph, and honourable members would have an opportunity of dividing the House upon each item on the motion for concurrence.

**Mr. McLellan** argued that the tax on flour was a discriminating impost in favour of

Quebec and Ontario, and complained that the staple export of Nova Scotia, coal, was to be admitted duty free. He demanded that reciprocity should be established with respect to these two.

**Mr. McDonald (Lunenburg)** said that an opportunity should be given to every member from Nova Scotia to enter his protest against the additional burdens which were to be imposed upon them to an extent that no political advantages of Union could ever compensate. Already they had found a tax proposed on every poor man who took a newspaper for the information of this family; a stamp tax, an impost unknown to the Maritime Provinces up to this hour, and one which had cost England half this continent. (Hear, hear.) Mr. McDonald referred to other items, and hoped that full time would be given for discussion.

**Hon. Mr. Tilley** was most anxious for discussion, to afford him an opportunity of removing the erroneous impression which seemed to prevail with his friends opposite, as to the effect of the tariff on the Maritime Provinces, but that discussion should take place on the motion for concurrence. He considered if it were necessary to increase the revenue, such increase should be effected rather by an imposition upon luxuries than upon articles of necessary consumption by the poor, such as flour or tea. The working of Confederation had not—he said it more in sorrow than in anger—been hitherto such as to strengthen the hands of the friends of Union. (Opposition cheers.)

**Hon. Mr. Fisher** regretted that the Government proposed to increase the duty on sugar, molasses, pork and tea in the Lower Provinces. These articles entered largely into the consumption of the people of those Provinces, and increased duties on them would be felt as extremely burdensome. He regretted for the sake of the Union that this measure was proposed, for it would tend to make the Union unpopular and the people discontented.

**Mr. Jones (Halifax)** asked if the large increase of so many necessary articles of consumption was calculated to increase the affection of the people of Nova Scotia for Union, or whether they were likely to approve the policy of Canadian statesmen, who imposed burdens upon the sister Provinces to provide for their own necessities. The effect of the measures of revenue, introduced two years ago, had been to concentrate the profits of the entire sugar trade of the country into the

[Mr. McLellan (Colchester)]

coffers of the two sugar refineries of Montreal with the consequent loss of a large amount of revenue. This was a consideration which had already been amply impressed upon the Government, and yet he found them proposing to perpetuate the inequitable system through the whole Dominion. This late hour, when the representatives of the Maritime Provinces, being compelled to leave on the following day, had been chosen by the Government to bring down such objectionable propositions in the hopes that they would escape the discussion, which had been vainly challenged earlier in the session. Without some renewal of the Reciprocity Treaty, the people of Nova Scotia, oppressed by these new burdens, would be unable to exist, and to any enactment which in addition to the \$2 per barrel imposed upon their carriage of fish to America, would add the charge of another \$2 upon each barrel of pork they brought back from the Brazils, he declared that they would not submit. Under these considerations he ought not perhaps to regret the propositions of the Government, but he could not avoid remarking upon the course they had taken to avoid a full and fair discussion.

**Hon. Mr. Rose** pointed out that it was fair and necessary that increased revenue should be desired from the Maritime Provinces, because thus far the sum they had drawn from the Dominion largely exceeded the sum contributed by them. Of the whole estimated expenditures of sixteen millions this year, there would be expended in Ontario and Quebec, \$9,113,000; in Nova Scotia, \$2,257,000; in New Brunswick, \$1,150,000, with \$3,312,000 general expenditure, not specially applicable to any of the Provinces. If a *per capita* rate of expenditure was taken, it would be found that the expenditure in Ontario and Quebec this year would be \$4.70 per head; in Nova Scotia, \$7.87, and in New Brunswick, \$7.18. (Hear, hear). He thought these facts should have weight with honourable gentlemen from the Maritime Provinces; and, while regretting the necessity of having to allude for one moment to a question of sectional character, he asked the honourable gentlemen from the Maritime Provinces to take them into consideration in that fair, straightforward way which, as British subjects, he knew he could ask at their hands. (Hear, hear).

**Hon. Mr. Howe** said that Nova Scotia only got extra the sum necessary to make up its debt of eight millions, while the debt of Canada was not only up to the sixty-two millions provided for under the Union Act, but eighteen millions besides.



**Hon. Mr. Rose**, in reply, said that even by excluding the expenditure on public works, which in Nova Scotia went towards making up its debt, the outlay this year in Nova Scotia would be \$5.22 per head, and in New Brunswick, \$5.11; while in Ontario and Quebec it would be only \$4.50 per head. (Hear, hear).

**Mr. Jones (Halifax)** again spoke at some length. He complained that the Government had purposely kept back the tariff till the last moment, as well as the Intercolonial Railway measure, in order that the representatives of Nova Scotia, who they knew had to leave for their homes to-morrow, might have no opportunity of raising their voices in protest against the great wrong which it was proposed to inflict upon the people of that Province. He contended that the effect of their tariff would be to draw from the people of Nova Scotia \$600,000 more than was obtained from the existing tariff. He repeated he was gratified the Government had made these propositions, because it would be found the people of Nova Scotia would not stand the additional burdens they would impose. They would rise against the Government, and by every constitutional means endeavour to shake off the yoke which now bound them helplessly to Canada.

**Dr. Tupper** said the members from Nova Scotia who talked of returning home to-morrow should, instead of consulting their own convenience, stay until the close of the session, and battle with him for the interests of Nova Scotia. He should always endeavour to promote the interests of the Dominion, but he felt himself more particularly bound to urge the claims of his own Province, and he should always do it upon equitable principles. He did not believe that the interest of Nova Scotia would be promoted by any honourable member making such a statement to the House as had been made by the honourable member for Halifax in the face of public documents which lay on the table, which would show the past and present position of Nova Scotia in relation to the tariff proposed. He then criticized the remarks made by the honourable member for Halifax, showing that many articles upon which a duty of ten per cent had been paid in Nova Scotia were now admitted free. And that the Canadian tariff upon tea, sugar and molasses, etc., had been largely reduced. He wished the Government to consider the propriety of placing a duty upon poultry, upon the same principle as they imposed a duty on flour. In reference to the

remark of the member for Halifax that \$600,000 would be taken out of the pockets of the people of Nova Scotia, he thought that his honourable friend would not be willing to receive every dollar of the revenue collected in Nova Scotia under this tariff as independent of the Union, and be chargeable for the money to be paid out of the Treasury of the Dominion on account of Nova Scotia.

**Mr. A. W. McLellan** would have been glad if it had been possible for him to remain longer at the Capital, were it only for the pleasure of seeing the honourable member for Cumberland in the novel and unaccustomed part he had promised them of doing battle for his country. He examined the statement of account presented on Saturday to prove that a profit had accrued to the Dominion from Nova Scotia connection, during the past five months, of nearly one thousand dollars per day.

**Hon. Joseph Howe** would suggest that the resolutions should be passed through Committee to-night, as no object could be gained from the protracted discussion at that late hour (one o'clock) or form a division in Committee, in which none of them could record their names. The House might be divided on the motion for concurrence, but the late sittings to which they were becoming accustomed, involved a tax that had not yet been touched upon—a tax upon their brains. He knew that, now that the ice had set, he could be in case of the worst, easily preserved until Spring, but he preferred on the whole to reach home alive. (Laughter.)

**Sir John A. Macdonald** said the Government would see to it that the question of concurrence would be brought up early to-morrow, so that Nova Scotia members could discuss them before leaving for their homes.

#### INTERCOLONIAL RAILWAY

**Sir John A. Macdonald** moved that the Intercolonial Railway Bill be now read a second time. Opportunity for discussion would be given when it went before the Committee of the Whole.

**Mr. Holton** strongly objected to the second reading coming up to-night. If that must be done, he was willing to stay a couple of hours longer, but he could not consent to allow the Bill to pass another stage without discussion.

**Sir J. A. Macdonald** would not pass it.

The House then adjourned at 1.15 a.m.



## HOUSE OF COMMONS

Friday, December 13, 1867

The Speaker took the Chair at three o'clock.

### OTTAWA RIVER

The petition of **Mr. Currier** and others praying that certain obstructions to the navigation of the River Ottawa might be removed, and for improvement to the Grenville and Carillon Canal was read and received.

### CAPITAL PUNISHMENT

**Mr. Morris** introduced a Bill to provide for the carrying into effect of capital punishments within prisons. He remarked that it was not a question of whether it was desirable that executions should take place under official sanction, surrounded with all the safeguards that were necessary to satisfy the public mind that the executions had really taken place, but whether they should take place under the public gaze. The question had engaged a great deal of attention in England. In 1856 a Committee of the House of Lords reported in favour of this measure. In Germany it was in force with the best advantage. In Austria, also, the same plan was adopted, and the evidence taken on this subject was overwhelming in favour of such a step. He would simply call attention to the matter, and hoped during the recess it would receive that consideration which its importance deserved.

Second reading to take place to-morrow.

### SESSIONAL ARRANGEMENT

On motion of **Hon. Sir J. A. Macdonald** it was resolved—That when the House adjourns at its second sitting, this day, it stand adjourned until Saturday, at 3 o'clock p.m., and

That during every day next week there shall be two distinct sittings; the first from 3 p.m. to 6 p.m., and the second from 7:30 p.m. till the adjournment of the House.

### EXCISE

**Hon. Mr. Rose** moved concurrence in the Excise resolutions, reported from the Committee of Ways and Means.

99038—18½

**Hon. Mr. Holton** said it had been impossible for him to prepare himself for an intelligent discussion of the more important features of the resolutions, owing to the short time they had been in his hands. He was quite free to admit the propriety of extending to the whole Dominion the same system of customs and excise as at present existed in Ontario and Quebec, but as very little change was proposed by these resolutions in the old Canadian tariff, and as the tariff is to undergo further revision during the second part of the session, it would have been better merely to extend the old Canadian tariff to the Maritime Provinces. Under the circumstances, seeing they had not the usual opportunity of discussing this question in its different stages, he did not propose to raise a discussion upon several points that under other circumstances he would have done.

**Hon. Mr. Galt** regretted that the Government had brought down the resolutions during this part of the session, and hoped they would not press their passage. He said this as their friend and supporter, and with no desire to embarrass them. He was sorry the returns relating to trade in all the Provinces had not been before the House previous to the consideration of the customs and excise. He felt sure that such a return would go far to remove that hostile feeling to these resolutions expressed by gentlemen from Nova Scotia. In the case of Nova Scotia, he believed they would show that increased taxation would have been imposed upon them by their own Legislature, if Confederation had not taken place nearly, if not quite as large, as that proposed by this measure. For the year ending Nov. 30, 1866, there was a deficiency, quoting from the year book, between the revenue and expenditure of Nova Scotia, amounting to \$163,000. The Customs revenue during that year was larger than formerly, amounting to \$1,211,000; but he would ask the honourable Minister of Customs if there had not been a falling off in the importations into Nova Scotia since that time?

**Hon. Mr. Tilly**—Yes, a considerable falling off.

**Hon. Mr. Galt**—It was quite evident that while the expenditure in that Province had

been increasing, the revenue had been decreasing. There appeared to be a balance due on the 1st day of July last to the Bank of Nova Scotia, of about \$80,000; to Barings, \$1,300,000; expended on Railway surveys since the first day of July, about \$300,000; on the Annapolis Railway, \$9,000,000. These figures show that the Legislature of Nova Scotia would have to provide for \$2,580,000, involving interest to the amount of \$154,800, so that the Province, if Confederation had not taken place, would have required increased taxation amounting to \$137,000, and this is entirely irrespective of their proportion of the expenditure occasioned by the building of the Intercolonial Railway which would amount to about \$200,000 additional. It should be remembered that the proposed excise duties involved no new change as regards Nova Scotia, except in the article of beer, and possibly to some limited extent in tobacco, there being no distilleries in that Province. Of course they would have to pay duty on importation of foreign spirits, or if they import spirits from Ontario and Quebec, they will have to pay duty of six cents a gallon, which was less than that proposed to be placed upon foreign spirits. So that whether the liquor came from France, the United States or from the distilleries in Canada, the amount will not be increased whether in shape of excise or customs duty. He thought that there were certain advantages to Nova Scotia connected with Union which had not fully been taken into account, and which might fairly be placed against what were declared to be disadvantages. It was unfortunate that during this part of the session they had to consider only burdens imposed, without having it in their power to consider the advantages of Union. Take intercolonial trade, for instance. It was certain that there were only a very limited number of manufactories in Nova Scotia. Manufactured goods could be imported into Nova Scotia from the other Provinces free of duty, and there would undoubtedly spring up a large intercolonial trade in this class of goods. In reference to another point, he would like to ask his honourable friend at the head of the Government if he was at liberty to answer whether Government intended imposing any charges upon vessels and lighthouses?

**Sir John A. Macdonald** said he was not able at present to give his honourable friend an answer on this point.

**Hon. Mr. Galt** regretted it, but in Canada no charges were imposed upon shipping, and [Mr. Galt (Sherbrooke)]

they might fairly infer that the same policy would be continued throughout the Dominion. Then, he had no doubt Government would establish a line of steamers to ply between the West Indies and Halifax, thus making that city the *entrepot* of the West Indies trade. He believed, also, that Government intended to improve the coast harbours and lighthouses of that Province. Then, again, he gathered from the estimate of the Minister of Finance that it was the intention of Government to pay bounties to fishermen. It was only pressure of other work that had prevented Government from settling this part of the session all these questions in a satisfactory manner to the Maritime Provinces. With reference to New Brunswick, there were a number of articles upon which a higher rate of duty has been paid than that now proposed, and there were a number of articles both in Nova Scotia and New Brunswick bearing considerable rates of duty, now proposed to be free. That Province had incurred considerable expenditure in connection with railways which were not yet completed, and would now become a burden upon that people, if they had to deal with the subject alone. This was independent of the Intercolonial Railway, which would give far greater advantages to that Province than any of the others. In regard to Ontario and Quebec, no new taxation was required there, he would like to ask the Minister of Finance what amount he estimated to receive from excise and what from customs. He had stated in his estimates the amount from both sources \$12,000,000.

**Hon. Mr. Rose**—From excise \$3,000,000, and \$9,000,000 from customs.

**Hon. Mr. Galt**—Did you base your estimate upon the existing law, or upon this proposed Act?

**Hon. Mr. Rose** replied that he had based it upon the existing law.

**Hon. Mr. Galt**—The customs for 1867 in Canada, Nova Scotia and New Brunswick, were estimated to amount to \$9,242,000, but unless the importations to Canada greatly fell off under the proposed tariff, there would be increased revenue which his honourable friend had not taken into account. The revenue from excise was estimated at \$3,000,000, which will be derived mainly from Ontario and Quebec—there being no distilleries in the other Provinces. He had reason to believe that the amount from this source would be considerably more during the current year than last year, and the amount received since

the first of July favoured that opinion. This would necessarily come wholly from Ontario and Quebec. Then, if they would look to the expenditure of Canada, prior to Confederation, they would find several items that would not occur another year:—The Paris exhibition, \$50,000; Ottawa buildings, \$200,000; secret service, \$40,000; customs duties refunded, \$270,000; and a few other items, amounting altogether to \$611,000. Add to this a most certain increase in the excise duties of \$600,000. Therefore, as regards Canada alone, the Finance Minister would not have found it necessary to recommend a measure of increased taxation, and if the Lower Provinces had to pay additional taxes, it was in consequence of their own financial position, independently of the financial condition of Canada. These facts should be explained and laid before the people of the Lower Provinces before this tariff Bill was brought down. He had very strong political objections to the imposition of additional taxes at this moment. He did not desire it for the purpose of embarrassing the Government, but as a friend and well-wisher of the Union; he desired that no obstruction should be put in the way of the best possible working of the Union. Look at the feeling in Nova Scotia. The people of that Province felt that Confederation had been imposed upon them against their will, and it was fraught with serious disadvantages to them. That being the case, he thought it would be admitted that the policy of this Parliament should be to avoid every possible cause of irritation to that Province, and to adopt every mode of conciliating them and inducing them to believe that we had wished them into partnership with ourselves, not for the purpose of putting them in a worse position but a better, and to help to improve their condition in common with our own. We should do all in our power to show that we wish to deal with them fairly, and to treat them as well as (if not better than) ourselves. What was the position we were going to be placed in by passing this measure? They knew the feeling that existed in Nova Scotia. They had heard it expressed in this House. It had been charged against the Government that they were acting in the interest of the Western Provinces and to the detriment of those in the East. They had been charged with imposing additional taxation, and that that taxation was for the benefit of the West, and not for their benefit. What would be the effect of this measure at this moment, when gentlemen from Nova Scotia were going to leave to-mor-

row? They would carry away with them a record that would weaken the friends of Union in that Province, and encourage its opponents. It was a serious political mistake, bringing down at this time this measure of the equalization of taxation. The calling on the people of Ontario and Quebec to endure additional taxation for a few months longer was nothing compared with conciliating Nova Scotia. It was a most unwise step, he believed. The friends of Union—and he spoke as one of them—were so thoroughly imbued with the necessity of supporting the present Government that they would support them in this course; but he hoped his argument would prevail with them, and that they would even now pause in the course they had laid down. He believed he spoke the views of friends of the Union in this House when he said they would be glad to see the Government take a conciliatory course rather than persist in the one which would give their opponents—he would not call them enemies—cause to believe we were going to wrong them, give them an opportunity of going back to their constituents and saying that their worst predictions had been verified and would cause the friends of Union in that Province to hang their heads with shame. He knew the Government wished to make Confederation as successful as possible; and, as their supporter and well-wisher, he would entreat them to consider once more, before the step is irrevocable, whether it was not better in the interest of the whole people, to ask the people of Ontario and Quebec to continue to contribute additional taxes for a few months—yes, he would say years, even—more than the people of Nova Scotia, for the purpose of conciliating them and combining together more closely those Provinces under one Government. (Cheers).

**Sir John A. Macdonald** said the only way to maintain the strength which his honourable friend had said they possessed, was by doing justice to all sections of the country. They would not be worthy of the support they had received from the people and Parliament if, in order to win over any portion of the Dominion, they did manifest injustice to other portions. The honourable gentleman had shown that they were not doing any injustice to the Lower Provinces, and yet he wanted to delay the measure before the House—which everybody would admit would be great injustice to other Provinces. If taxation be just and fair as between old Canada and the Maritime Provinces, as he had admitted it to be, why ask the delay, and if they

were to do so, would the people of the Maritime Provinces submit to be bribed—for it amounted to that—by the miserable advantage of the difference in the taxation between imposing these duties now and a few months hence, to accept a Union which before they had professed to detest? It was not by being generous to one section at the expense of another that they were to consolidate the Union, but by being just to all. Any other course would cause a sense of injustice to be felt. Every member who addressed his constituents against this Union stated they would have to submit to increased taxation. If there was increased taxation it was no more than they would have had if they had remained out of the Union. To change this tariff or postpone it for a few months, would not induce the representatives from Nova Scotia to alter their political course, or withdraw their projected appeal against this Union. If they were willing to abandon all their opposition, join heartily in working the constitution, and give it their support, then it would be well worthy of the people and Government of the Dominion to consider it.

**Mr. Holton** came to Parliament a strong advocate for Union, and was not disposed to vote against the Government; but as this tariff now stood, he could not vote for it, in justice to his constituents. He had not lost faith in the Union, but he believed we should all derive benefit from it, and with a proper system of economy they need not have much more tax than formerly. He thought this tariff would bear very heavily upon the Maritime Provinces. He did not care how much duty they placed upon spirits, but he would go against any more duties being placed upon the necessaries of life. He had contended very strongly that there should be no duty placed upon flour in the Maritime Provinces, because Canada had more flour than was needed for home consumption. The amount of revenue to be derived from this source would be small. They only realized \$1,411 on this article last year, when the duty was 50 cents per barrel.

**Mr. Gibbs** said the principle adopted by the Hon. Minister of Justice was the only one he could possibly take. *Fiat Justitia ruat cœdum*, was his maxim, and it would commend itself to every member of the House. If the question is to be brought up constantly, let it be disposed of at once and dealt with fairly and justly. In preparing the tariff, they should consult the interests of the whole Dominion, for they were now united as one people for

[Sir John A. Macdonald (Kingston)]

weal or woe, and their constitution did not exist only upon paper as had been announced on the floor of this House. The representative from the Eastern Provinces complained of the duties put upon breadstuffs. It was necessary at our last session to put a duty of 50 cents a barrel on flour, which was to some extent retaliatory upon the Americans, as it was not supposed the revenue would be derived from it. While this duty was placed upon flour, none had been imposed upon wheat. This gave Canadian millers the opportunity of grinding American wheat, and at the same time supplying consumers without imposing additional burdens. He had no direct personal interest in this matter, other than that common to his own constituents and the people of the Dominion generally. The only mills which ground American wheat were those on the direct line of the great water communications, as the mills on the Welland and Lachine Canals. The Canadians, in view of the abrogation of the Reciprocity Treaty turned their attention to direct provincial trade, and have nearly controlled it since. The policy of the Americans is by imposing a specific duty on wheat of 20 cents, and an *ad valorem* duty on flour of 20 per cent, materially to damage the milling interest of Ontario, and send our fine wheats out of the country to be ground. Let the trade be reciprocal, but don't open our markets to their manufactures, while theirs are closed to ours. Their policy was restrictive, and we were asked to adopt that of free trade. Under existing regulations, he could not see its propriety. We were asked to pursue a policy which was a premium to refuse the renewal of a reciprocity treaty. The propriety of this he could not see. He said the exports of flour to the Provinces had increased from \$193,735 in 1864 to \$2,605,548 in 1867, and that while flour was admitted free from us into New Brunswick. This would show that the duty proposed was more nominal than otherwise. The policy proposed of a duty of 10 cents on corn and 5 cents on cornmeal per barrel, was a premium offered to grind corn in the States rather than in the Provinces. Meet the views of the Provinces by letting it in free, and increase the duties on whisky instead. He went on to speak of duties asked to be placed on coal, but said no duty, except a prohibitory one, would enable them to compete with coal brought in ballast from England. He hoped calm consideration would be given to the tariff, and trusted when revised in March it would be permanent.

**Mr. Killam** said that a large proportion of the Nova Scotia people, compelled to purchase provisions from abroad, would now be called upon to submit to a taxation upon necessaries which had never been imposed on them before. He thought that they should at least have breadstuffs free, unless which was permitted Nova Scotia would not be satisfied, and would refuse to bear the oppressive burden of such novel imposition. It had been said that the Imperial Parliament would turn a cold shoulder to any appeal that they might make, but he trusted in the fairness of the English people, and could not believe that such would be their reception. He was surprised to hear gentlemen from Western Canada expressing a fear of the competition of American flour, and for his part believed that protection was a false and weak policy, and took his stand on the broad principles of absolutely unfettered trade.

**Mr. Beatty** said free trade was very well in theory, but they could not have it without coming to the principle of direct taxation. Free trade has been advocated from various causes, but it was generally the case when a free trader became a manufacturer, he was a protectionist. When they had free trade with the United States the Maritime Provinces did not get the benefit of the excellent wheat of Canada, but it was mixed with the inferior wheat of the United States before being exported. Now we will have a direct trade with the Lower Provinces. There must be no division amongst us. Old things have passed away, and we are now standing upon a new constitution. There will be a direct trade between the Provinces. Then New Brunswick and Nova Scotia, instead of eating inferior bread, grown from inferior wheat, will get bread which has some nutriment in it, which will enable them to do more work than formerly. The revenue had to be raised to pay expenses; but we should see in the future that our expenditure did not exceed our earnings. He hoped they would never have class legislation; but they should all work shoulder to shoulder to make this country what it will be, one great Dominion, not to be exceeded in prosperity or wealth.

**Mr. Magill** took exception to the sugar duties as being likely to interrupt our trade with the West Indies and South America, with which it was now more than ever our duty to cultivate intercourse and reciprocity when the United States had, as it were, thrown a Chinese wall round their territories. Such protection, however excusable for inter-

ests affording extensive employment of labour, could not be defended where existing merely for the advantage of two Sugar Refineries of Montreal. Montreal appeared to be altogether unduly favoured. A Hamilton merchant had recently written to him that gum—an article used largely in the manufacture of tobacco—had been at that port subjected to a duty of fifteen per cent, which made it impossible for manufacturers there to compete advantageously with Montreal, where, upon subsequent enquiry, he had ascertained that gum was being entered duty free (hear, hear.) Upon his representation of the facts he received assurance that in future the same charges would be made everywhere. He desired to see the British scale of duties enacted here. In England the duties on fine qualities of sugar were higher, and on coarse qualities lower, than in Canada, where they had been arranged to serve the interests of the refining monopolies of Montreal, and to inflict injury on all Western Canada, and especially to the city which he represented (Hamilton), which was subjected to still further injustice in being compelled to pay a double canal toll on all its exports to America. Adverting to the expressions of Nova Scotian discontent, he agreed in the sentiment of a former President of the United States, that "Union must and shall be preserved"—upon the principle of equal justice to all. (Applause).

**Mr. Coffin** protested against the duty on flour, meal and pork, and thought it would cause a great deal of dissatisfaction in Nova Scotia, which could not be overcome.

#### AFTER RECESS

**Mr. Harrison** said he thought, as a general principle, excise duties should be made as low as possible, so as not to cripple our domestic industry. The true policy of the Dominion was to encourage the means of employing our labour at home, so that we should be as little as possible dependent for our necessaries, or even luxuries, on foreign labour. We should not have reference merely to one of the great branches of national industry, agriculture, commerce, and manufactures, but should care for all of them as inseparable one from the other. Commerce stimulates manufactures, manufacturers stimulate agricultural production, and agriculture sustains both. Free trade was not a true principle, as applicable to all countries. England did not adopt free trade till its manufactures had the command of the world; and, to say that what was good for England

in this respect was good for Canada, was to give the infant the treatment that was fit for the giant. The correct principle he thought was, that whenever we could protect our home manufactures, while raising revenue, we should do so. He agreed that whatever tariff policy we had should be uniform for the whole Dominion, and he hoped in future it would have the important element of stability.

**Mr. Young** did not think this was a fitting occasion for entering upon the discussion of abstract principles of political economy. He thought under the circumstances in which they now found themselves, they should facilitate the passing of these customs and excise measures as rapidly through the House as possible. There were undoubtedly in the proposed tariff some objectionable features, at least from his point of view. The differential duties on tea were not fair to the Western part of the Dominion, because the people of the Maritime Provinces preferred using black tea, and that was no reason why they should pay only 3½ cents per pound of a specific duty; while in the West the people paid 7 cents on green. A good deal had been said about incidental protection. There were some articles put on the free list last year, machinery for example, which were as much deserving of protection as any interests that are now protected. This was not the time, however, for a full discussion of the tariff as the propositions brought down at the present time by Government were only provisional, to last for a few months till Parliament again assembled, when Government promised the tariff likely to be permanent.

**Mr. Oliver** said that when the members from the Maritime Provinces complained that the tariff, as regarded them, was increased, they should remember that a great deal of the expenditure of public money for many years to come would be in those Provinces. We were to incur a debt of twenty millions of dollars for the Intercolonial Railway and most of that would be expended in New Brunswick and Nova Scotia, causing greatly increased consumption and filling those Provinces with settlers. The member for Cumberland (Dr. Tupper) had stated that the people of Nova Scotia had entered upon public undertakings which would have compelled them, had Confederation not taken place, to increase their tariff to 15 per cent. Every statement that honourable member had made had been controverted by Nova Scotia members, except that, and he presumed therefore they could not contradict it. If there was any

[Mr. Harrison (Toronto West)]

prospect of a decreased expenditure he would certainly advocate a reduction of duties, for he looked on free trade as the correct principle; but at present he saw no such prospect. He disapproved of the tax on flour and the differential duty on tea in favour of the Lower Provinces. He hoped these points would be re-considered.

**Hon. Mr. Tilley**, remarking that there was no subject so difficult to deal with as the imposition of duties, from the variety of interests to be considered, the burden upon which they had to endeavour to equalize, said that, in introducing the resolutions last night, he had not spoken at much length, as the Government did not regard this tariff as final, but intended by and by to bring down another based upon a larger experience, which they might reasonably hope to last for four or five years. The Government had neither desire nor necessity for imposing additional taxation. The late Minister of Finance had put clearly before the House the position of the Maritime Provinces, which if not included in the Union would have to bear at this moment duties higher than the tariff would impose. He would address himself particularly to their representatives, as he himself represented a New Brunswick constituency, and it was from the New Brunswick minority and the Nova Scotian majority that expressions of dissatisfaction had principally come. He was sure that they would believe that the Cabinet had but one desire—that all the laws of the country should be just and equitable, and should bear equally upon all sections of the Dominion. By what he was about to say tonight, he desired to prevent the necessity of any member returning home with his head hanging down, and to give such a statement as might satisfy them all that the proposals were not invidious—however much they might perhaps disagree in trifling matters of detail, all of which the Government would well consider in recess, and if possible amend. None of them need be ashamed of the results of Confederation, by which at least no taxation had been imposed, (although it might perhaps be impolitic to say it,) upon New Brunswick, which she would not herself, if unincorporated in the Union, have been compelled to impose more heavily. Considering some of the speeches which had been made there, it was of the utmost importance that the House should understand that no additional customs revenue was being raised, the aggregate under Confederation being only equal to the same aggregate before. To refer particularly to New Brunswick, the duty on



brandy was being there reduced by the extent of their *ad valorem* charge of three per cent., amounting to \$2,040; that on whisky the same, amounting to \$2,800; that on rum by ten cents and three per cent., amounting to \$15,380. There was some difficulty in comparing the wine duties, which had in New Brunswick been charged hitherto on a scale of comparative values, and would be hereafter measured by the proportion of alcohol, but from a careful examination he computed that they would pay upon this article alone \$12,097 less than previously. Upon imported ale, they would gain \$3,389. Upon articles not enumerated, they would save one-half per cent, or \$15,802. Upon articles hitherto dutiable and now made free \$44,504, and upon shipbuilding material and other sundries \$15,500—a total gain of \$110,000 in round numbers. On the other side of the account, they would lose by excise on malt—estimating their production of ale at 300,000 gals.—\$10,000. Upon tobacco, which now pays five cents and three per cent, \$24,000. Upon coal oil, \$1,160. Upon molasses—taking an average of one million gallons now paying two cents and three per cent, and to be advanced to five cents—\$25,000. Upon tea, which now paid four cents for black and eight cents for green with three per cent *ad valorem* on an average of twenty-seven cents per lb. \$22,500. Upon sugars \$27,750. Upon flour, for which, with regard to the large supplies they would receive from the West, his estimate of 50,000 barrels was very liberal, \$12,500. Taking into account corn, and some few smaller items such as spices and perfumery, their total apparent loss would not exceed \$130,000, or an apparent balance against confederative advantages of \$20,000 in round numbers. But this calculation took no notice whatever of the articles to be obtained free from sister Provinces. Then the Dominion assumed \$1,300,000 of their debt, which diminished their expenses \$70,000 or \$80,000, and threw the balance altogether on the other side. The debt of New Brunswick would, moreover, be swelled heavily by the proportion agreed to be contributed to the cost of the Intercolonial Railroad, if built solely by Canada. Under the subsidy they received, they would, without additional taxation, have as much as before for local purposes, and have their railway burden removed. As a matter of policy he should perhaps have kept silent, but he could not by such silence appear to admit that his Province was oppressed. The Government would give every consideration to the views of

many representatives who might be dissatisfied with particular impositions, and so far as was consistent with public policy would endeavour to meet the suggestions of all. As to Nova Scotia, there also all taxation now to be imposed would have been inevitable, even independent of Union. There had been in 1866, the largest year for some time 1,365,251 lbs. of tea imported under a duty of six cents upon black and four on green. The increase of one cent would cost the Province \$13,000. On tobacco, previously at five cents per lb. for leaf, and five cents excise for manufacture, this would pay an additional \$25,000. On sugar \$45,000. Of *ad valorem* articles they had imported in 1866, \$4,928,245, adding the increase upon which to that upon coal oil and other sundries made, with the sums enumerated, a total of \$273,145, of apparent loss, against which there would be a total saving of \$210,081, comprising among its items \$47,200 upon brandy, and \$63,000 for additions to free list. The interest of their debt assumed by the Dominion would more than wipe off the unfavourable balance altogether, to say nothing of the advantages of the Intercolonial trade viewed comprehensively. He believed that in the next three years, if the tariff remains without modification, New Brunswick and Nova Scotia would not give the Dominion much more—any more—than they received. In Excise the West paid more, and in Customs the East, but altogether the arrangement was fair, and just, and equitable. As he had said before there were many difficulties in making the proper estimates, and before undertaking a final adjustment the Government desired the observation of a few more months as to how the Provinces were likely to be affected by their measure, and hoped at the end of that time to be able to bring down such a tariff as was likely to remain in force and to prove beneficial to the whole country. (Applause.)

**Mr. McLellan** thought it no recommendation to the resolutions that their operation was only to be temporary. When we next assembled, the whole country would again be disturbed by another discussion. The Minister of Customs had assumed, at the outset, that Nova Scotia was embarrassed. There might have been a temporary embarrassment, but with their revenue they would soon have overcome that; and even supposing they were embarrassed, was this a proper place to seek relief, when Canada had always had a deficit? He also referred at some length to figures as not bearing out the statements of the Minister of Customs.

**Mr. Burpee** appealed to the Government as one who had supported Confederation, not to impose additional burdens on the people of New Brunswick. He believed the tariff would have a bad effect in creating hostility to Confederation; and, although he had confidence in Ministers, he was sorry they had consented to introduce a scheme which he feared would bear unjustly upon the people of the Dominion.

**Mr. Anglin** spoke at great length in opposition to the tariff, contending that notwithstanding it made certain reductions, it would on the whole largely increase the revenue to be contributed by the Lower Provinces. He estimated that the extra duties which under it would be paid in New Brunswick would amount to \$370,000, and the reduction to \$70,000, thus leaving \$300,000 as the net sum which would be paid by that Province over and above its revenue under the existing tariff.

**Mr. Jones (Halifax)** regretted that the Government had not had time to mature their plans, so that they would have been able to present a tariff which would be the tariff for the next five years, and recommended the postponement of the question until the adjourned session. He recommended reducing the tariff on some articles and putting a duty of 5 per cent upon some of the free articles.

**Mr. Connell** protested against the increase of duty on the necessaries of life, and recommended the Government to allow the matter to stand over.

**Hon. Mr. Howe** spoke briefly, charging the Government with sacrificing by their proposed tariff, the interests of Nova Scotia to Canadian interests.

**Hon. Mr. Galt** followed and urged the expediency of postponing the passage of the resolutions till next part of the session; then a permanent tariff might be arranged.

**Mr. Fisher** spoke in opposition to the resolutions, and thought if the question was postponed a more equitable tariff could be arranged. He was strongly opposed to the duty upon bread and other necessaries of life.

**Mr. McMillan**, though a supporter of Union, felt it his duty to oppose the resolutions. He thought the distribution of taxation was not equitable to New Brunswick.

**Mr. Mackenzie** had listened with great pain to the remarks of gentlemen from the

Lower Provinces. They seemed to be under the impression that Parliament had met together for the purpose of picking their pockets. He was not prepared at present to enter into a discussion of the subject to-night, but he could assure gentlemen from the Maritime Provinces that, if any items in the tariff would in his opinion bear oppressively and unjustly upon any section, he would use what power he had to oppose it. He was sorry to see a sectional spirit displayed to-night, and hoped that future questions of public importance would be discussed in a national spirit, and as far as possible free from sectional jealousies and bickerings.

**Mr. McCallum** expressed himself opposed to the export duties on lumber fixed in the resolutions, and said he would vote against the whole Bill, if they were not changed.

The Excise resolutions were then concurred in.

### CUSTOMS

The Customs resolutions being moved, the first was agreed to.

The second being moved,

**Mr. Fisher** moved to refer it back to the Committee of Ways and Means, to reduce the duty proposed to be imposed on molasses, tea and several other articles. **Yeas, 43; Nays, 88.**

**Mr. McDonald (Lunenburg)** moved to put wheat and rye flour, corn and corn meal, on the free list. **Lost. Yeas, 51; Nays, 62.**

**Hon. Mr. Holton** called attention to American silver being left out of the free list, so that it would have to pay 15 per cent. He did not think so important a matter as this should be sprung on the House in this way, at so late an hour, and suggested that the discussion of it be adjourned.

**Sir John A. Macdonald** expressed his willingness to let this matter stand till to-morrow.

**Mr. Redford** hoped Government would not withdraw this. American silver had been a nuisance to the country for many years, and the Government would do well to get rid of it.

**Sir John A. Macdonald** moved that the debate on the customs resolutions be adjourned. **Carried.**

**Hon. Mr. Rose** introduced a Bill respecting Inland Revenue.

The house adjourned at a quarter to three o'clock, till to-morrow (Saturday), at 3 p.m.

# HOUSE OF COMMONS

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Saturday, December 14, 1867

The Speaker took the Chair at 3 o'clock.

## ESSEX ELECTION

On the question of receiving a petition from electors in Essex, complaining of a series of violent and irregular proceedings on the part of Arthur R. Rankin and others, during the election in Essex.

**Hon. Mr. Holton** called the attention of the Government to the question of whether this petition could be received. It was, in fact, a petition against the petitioners in the Essex case, and had reference to an issue that was now pending, and would very soon go before an Election Committee.

**Sir John A. Macdonald** said it might stand till Monday, and he would during the interval look into the matter.

## CUSTOMS AND EXCISE

**Hon. Mr. Rose** introduced a Bill to constitute the Department of Inland Revenue.

**Hon. Mr. Tilley** introduced a Bill to constitute the Department of Customs.

**Hon. Mr. Tilley** moved concurrence in the 7th resolution on the Tariff, reported from the Committee on Ways and Means. Carried.

The remaining Tariff resolutions were also agreed to, except the 11th, imposing export duties, so far as regards the Provinces of Ontario and Quebec, on various descriptions of timber. **Sir John A. Macdonald** said the Government had decided to strike this out, and it was struck out accordingly.

**Hon. Mr. Tilley** then introduced a Customs Bill founded on the resolutions.

**Hon. Mr. Holton** said the Government was supplying the House with an amount of literature which it would scarcely be possible even to read between now and Christmas. If it was intended to go on with these measures in this part of the session, Government should make a clear explanation of their whole policy with regard to organizing these departments.

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**Sir John A. Macdonald** said he would take an early opportunity of doing so.

## REPORTING THE DEBATES

**Sir John A. Macdonald** requested the Chairman of the Printing Committee not to move the adoption of the official reporting scheme till Monday, when the matter could be finally disposed of. Agreed to.

## THE NORTH-WEST TERRITORY

**Sir John A. Macdonald** moved the adoption of the address with reference to the North-West, and said that the member for Chateauguay had intimated it would be allowed to pass *subsilento*.

**Hon. Mr. Holton** said he could only speak for himself and his Lower Canada friends. As far as they were concerned, they were not disposed to renew the discussion; he had only asked delay to see that the Address was in the terms of the resolution, and if so he was now satisfied.

**Mr. Mackenzie** and the member for Bothwell objected to the Address, because it did not set forth the form of Government intended to be established in the Territory, and he understood, was prepared to speak briefly on the subject.

**Sir John A. Macdonald** said he would allow the motion to stand.

## AMERICAN SILVER

**Hon. Mr. Rose**, in resuming the debate of the morning, referred to the great inconvenience arising from the quantity of American silver with which the market was flooded, and stated that a complete measure of legislation upon the subject would be introduced next session, of which he could not now give the detail, but towards which the first step advisable was to close the door to any fresh importations, by which the Government would hereafter be able to estimate the fixed quantity with which they would have to deal, in place of being compelled to act with regard to an amount unknown, and would then be enabled with greater certainty to proceed

in their efforts to relieve the community from the present incubus, and to substitute therefor a useful currency. The introduction here of the coin which had gone out of use in the United States was entirely by the importations of brokers for their own benefit, and not through the agency of individuals, who did not find such coin in common American circulation.

**Hon. Mr. Holton** regarded the measure, however intelligible, if judged in the light of a future enactment, as per se, as stupid a proposal as was ever suggested to a deliberative assembly. It would be impossible to enforce the duty along so extensive a frontier as ours, and the effort to do so would only expose us to the derision of the world, who instead of finding us ready to deal with the overplus of silver here already, would see a protective duty being imposed in its favour.

**Mr. Gibbs** could appreciate the difficulty of the task undertaken by the Government, who would not, in his opinion, succeed in its accomplishment. Nor could he see any great hardship to the public if, for considerations affecting their own convenience, they voluntarily consented to take for twenty-five cents what was really worth but twenty-four or twenty-three. A rate of three or four per cent might increase the general revenue, but fifteen would merely offer a bonus to smuggling. It would be preferable to postpone the proposal to next session, when the whole subject might be comprehensively considered, and meanwhile people anticipating legislative action would take steps towards freeing themselves from the nuisance.

**Mr. D. A. McDonald** would support the resolution, as being at least a step towards the extinction of a trade injurious to the public, and beneficial to the brokers only.

**Mr. Lawson** thought that it would be impolitic to refuse to receive the currency of our neighbours at its standard gold value. He was not able immediately to refer to the proper authorities, but was under the impression that the American dollar was worth 91 or 92 cents, which value he suggested should be fixed for it by law.

**Mr. Cartwright** had no faith in the power of an import duty to stop the circulation of coin, which only a rigorous personal search could exclude. Still, if the Government wished to take the responsibility, they might try the experiment. The quantity in the coun-

try was very large—probably not less than seven or eight millions.

**Hon. J. Rose** considered this an over-estimate. The proposal to fix a specific duty, although fair in theory, was open to the objection that the intrinsic value of the coinage varied very materially.

**Mr. Dufresne** said that it would be remembered that, early in the session, he had asked the Government if they did not intend to establish a mint for the improvement of the coinage, a word which he had found in his dictionary—an old machine perhaps as worn out and useless as himself (loud laughter)—to mean the reduction of crude metal into a shape fit for currency, and that he had been answered by the Hon. Premier in the jocular strain with which his philosophy was wont to treat even the most serious subjects. (Laughter.) Our great difficulty arose from such a scarcity of circulation as induced us to lay our hands on anything we could get.

**Mr. Kirkpatrick** would vote for the measure, although considering that eight or ten per cent would be a better rate to impose. It would be still better to fix a specific value for the coin, which would show the United States that we were not unwilling to take their currency at its real worth, which, had he been Minister of Finance, (hear) he should have taken care to ascertain.

**Hon. Mr. Cartier** urged that people and small traders were those who suffered by this nuisance, and that the only way to remedy the difficulty was to clog the importation from the States. He did not think there was anything very stupid in such a measure; this was only a first step, and would be followed up by the Finance Minister either by a fractional paper currency or by a silver currency of our own.

**Hon. Mr. Dorion** thought the House should not be asked to accept or trust this, which was only part of the policy of the Government on this subject. Such a proposition, if carried out, would only have the effect of increasing the nominal value of silver in this country. It seemed to him the only proper way to deal with this question would be to fix the real value of these coins, and if that were not sufficient to abate the nuisance, a penalty ought to be imposed on those who received them at a higher rate. The present measure was rather calculated to throw obstacles in the way of a settlement of the whole question hereafter than to abate the nuisance.

[Mr. Rose (Huntingdon)]

**Mr. Ross (Prince Edward)** was glad that the Government had taken up the matter. At present farmers and traders were made to suffer for the benefit of brokers, and he knew mercantile houses in Upper Canada which were in this way losing \$5,000 yearly. He would accord his cheerful support to the measure—the best introduced this session.

**Mr. Walsh** referred to a previous proposal made by himself to fix a legal value of 80 cents for the dollar, which he explained would not occasion loss to the holders, who could always export to New York for par value. A similar arrangement had been found to work well in New Brunswick.

**Mr. Metcalfe** looked upon the proposal as the most extraordinary that had ever been heard of. It would certainly be a nuisance and an injustice to be compelled to take any article for a value greater than its due, but such transactions were altogether voluntary and optional, and if it were true that any bankers constrained their customers to take a portion of their discounts in silver, it could only have reference to the conduct of the managers of the great shaving establishment of Montreal.

**Mr. McConkey** should have desired to see the matter postponed until the Banks and Boards of Trade were able to express an opinion, and thought that the Government should fix some determinate legal tender value.

**Mr. Gibbs** regarded eight per cent as a rate more advisable than fifteen, and thought the quarter dollar might with advantage be made worth twenty-three cents. The effect of this discussion going abroad would be to prepare the country for the change which was to come. It was nonsense to talk of silver being forced upon the community—in his neighbourhood at least, where the farmers possessed sufficient intelligence to understand perfectly what they were about.

**Mr. Bodwell** said that the reference of the Hon. Minister of Militia to the injustice of the present state of things towards the poor was a good reason for the introduction of a Bill, which he himself intended to propose, to regulate the whole difficulty. He asked whether the Government's attention had been sharpened by recent losses from municipal receipts of silver in Lower Canada. He could not understand why municipalities of Ontario should not also be permitted to make their payments in silver if such a power had, as the public accounts led him to believe, been

extended to Quebec. He thought that a prohibition of silver would compel the introduction of American gold.

**Mr. Currier** was amazed at the proposal, not being able to see why, upon the same ground, an eight per cent duty should not be placed on gold. We had actually too small an amount of circulation.

**Mr. Ross (Dundas)** said that it was impossible to settle the question by any such imposition of duty, as silver could be brought in, in any quantity, over the frontier in defiance of the Government prohibition. He hoped that if Ministers were determined to press the measure, they would amend it by a reduction of the rate to four or five percent, by which the intrinsic value of the coin would be reached.

**Hon. Mr. Dunkin** could not understand how it mattered what rate of duty was imposed, the object being not revenue, but exclusion.

**Dr. Parker** thought the subject should be postponed, believing that the best way of dealing with it was to make such silver a legal tender at fixed value. The present proposal of exclusion would, if carried, be magnified across the border into an attempt at annoyance to the people of the United States.

**Mr. Bodwell** thought that the sooner we ceased to express fears of offending the United States in legislating for our own advantage the better. (Hear, hear.) We had heard so much of this sort of talk lately, that the Americans would begin to imagine that we could not get on without them.

**Dr. Parker** considered his remarks as perfectly justifiable, and disclaiming any more undue sympathy with or fear of the United States ridiculed the extravagant exaltation of the loyal frenzy, which would not permit us to speak without taking off our hats, and hooraying about our institutions as in no way tending to impress spectators with much respect for our dignity. He thought that it would be desirable to learn to use such language on grave international questions as was to be heard in England, where the great leaders, both of the Conservative and Whig parties were accustomed to express themselves in a strain which were it used by him, would be branded as betraying annexationist principles.

**Mr. Bellerose** (in French) briefly supported the resolution.

**Hon. Mr. Anglin** thought that no legislation was called for. The example of New Brunswick proved that the establishment of a commercial agreement to take the half dollar only for forty cents would completely meet the requirements of the country.

**Mr. Oliver** having briefly supported the measure,

**Hon. J. Rose** said that the information given by the gentlemen who had spoken conveyed many valuable hints to the Government for their consideration during the recess. He repeated that there were insuperable difficulties arising from the varying intrinsic values of the different coinages in the way of imposing a specific duty which would establish a par value, and thought that the Government might be trusted to take proper

means for the effectual prevention of smuggling this article as well as watches, diamonds, or other jewellery.

**Hon. J. H. Cameron** having spoken in favour of the measure, the remaining resolutions were put and concurred in, with the exception of the eleventh, imposing an export duty on lumber from the Western Provinces, which was struck out by the consent of the Government.

#### CUSTOMS ACT

The Bill for Regulating the Collection of Customs was then read a second time, and, it being 6 o'clock the House adjourned to 3 p.m. on Monday.

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## HOUSE OF COMMONS

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**Monday, December 16, 1867**

The Speaker took the Chair at 3 o'clock.

### PRIVATE BILLS

**Mr. Macfarlane** moved that the time for receiving petitions for Private Bills be extended for ten days from this date.—Carried.

### LONDON BOARD OF TRADE

On motion of **Hon. Mr. Carling**, the House went into Committee of the Whole on the Bill to render valid certain appointments made by the London Board of Trade.

**Mr. Blake** said this was a Bill enacting that the appointments of several official assignees by the London Board of Trade, an incorporated body at the date of those appointments should be valid. As there had been a decision in favour of the validity of appointments by unincorporated boards he thought legislation unnecessary; but secondly, if held to be necessary, he thought such legislation should be in the form of a declaratory not an enacting Act; thirdly, if there was to be any legislation at all it should be made general, and not apply to appointments made merely by one board, otherwise the inference would be that appointments by other unincorporated boards not confirmed by the legislature were invalid.

**Sir John A. Macdonald** was glad the matter had been brought under his attention, and moved that the Committee rise, report progress, and ask leave to sit again, so that it might be considered whether a general Bill should be introduced, or whether there was any necessity for legislation at all. The motion was agreed to.

### NOVA SCOTIA ELECTION EXPENSES

**Dr. Tupper** enquired of the Minister of Finance whether Government had considered the course they proposed to take with reference to the question he had brought before the House as to the payment of election expenses.

**Hon. Mr. Rose** said the Government had considered it. It appeared that the accounts

against the Public Treasury of Nova Scotia by returning officers, were in some instances not more than one pound ten shillings. The candidates themselves had paid the remainder of the expenses to the amount of \$720. Government had come to the conclusion that it would be fair that the expenses should be borne by the Dominion, and he would recommend an item of \$720 in the estimates for that purpose.

**Hon. Mr. Holton** doubted the propriety of an *ex post facto* payment when the candidates had incurred these expenses under the existing law of their own Province.

### ST. LAWRENCE AND OTTAWA RAILROAD

On motion of **Mr. Crawford (South Leeds)**, the Bill to incorporate the St. Lawrence & Ottawa Railway Company was considered in Committee of the Whole, and ordered to be read a third time at the next sitting of the House.

### BANK OF UPPER CANADA

On motion of **Hon. Mr. Cameron**, the Bill for the settlement of the affairs of the Bank of Upper Canada was considered in Committee of the Whole. In moving the House into Committee on this Bill, he said three alterations had been made in it. There was a provision introduced that no dividend shall be declared or paid until the same shall be sanctioned by the Governor-General in Council. Secondly, that the trustees shall receive for their own remuneration the sum of \$4,000 per annum, to be divided in such proportions as they shall themselves agree upon. Thirdly, that nothing in the Bill shall invalidate the liability of any shareholder, nor the rights of creditors against shareholders, and that the right of the Government and the priority of their account shall not in any way be impaired or diminished.

**Mr. Mackenzie**—Is there any change different from what was agreed to by the shareholders?

**Hon. Mr. Cameron**—None whatever.

### BANK OF HASTINGS

On motion of **Hon. Mr. Read**, the Bill to incorporate the Bank of Hastings was read a second time, and referred to the Committee on Banking and Commerce.

### QUALIFICATION OF VOTERS

**Hon. Mr. Carling** asked whether it is the intention of the Government, during the session, to bring in a measure having for its object the equalization of the qualification of voters for members of Parliament in the several Provinces of the Dominion. He said during the last session a Bill was passed affecting the qualification of voters. It increased in cities and towns in Upper Canada the qualifications, so that in cities it was now \$600 real estate; in Nova Scotia, he believed it was \$150; and in New Brunswick, \$400. He thought the qualification in Upper Canada was altogether too high. The people in the city he had the honour to represent complained very much of the increase. Nearly one-fourth of the electors would be disfranchised at the next general election if the law remained as it now is. He thought the Government should take up the question and equalize the qualification of voters all over the Dominion.

**Sir John A. Macdonald** said it was the intention of the Government in the present session to bring in a measure affecting elections and qualifications of electors and candidates. That had already been announced in the Speech from the Throne. It would not be well just now to indicate the Government policy, but he might say that on a first impression it would seem to be a matter of course that the same class of persons should have votes in all portions of the Dominion. There was no such disparity between the circumstances of the people of the Maritime Provinces and of those of the late Province of Canada, as to warrant in his opinion, and he believed in the opinion of the Government, a different qualification in one section of the Dominion from what prevailed in another. As for his honourable friend's remark about the qualification in Upper Canada being too high, he did not wish to enter on the discussion of that.

### METAPEDIAC ROAD

In reply to **Mr. Robitaille**, who asked whether it is the intention of the Government to take into consideration claims of certain contractors on the Metapediac Road, and to include in the estimates a sum sufficient to

meet the reasonable claims for indemnity of such contractors.

**Hon. Mr. McDougall** said that the claims of the contractors on the Metapediac Road were now before the Department of Public Works, and there was a sufficient sum in hand to meet whatever claims they might prove to be well founded.

### DAM ON RIVER TRENT

In reply to **Mr. Keeler**, who asked whether it is the intention of the Government to order the removal of the dam at Chisholm's Rapids, on the River Trent, for the purpose of restoring the public health of the neighborhood, so long and so injuriously affected by the flooding of lands caused by the said dam, as stated in various petitions to the Legislature on the subject?

**Hon. Mr. McDougall** said it was not the intention of the Government to order the removal of the dam at Chisholm's Rapids, on the River Trent. There were important mills situated there that were of great advantage to the country, and which would have claims against the Government if the dam were destroyed. The matter had been reported upon by an officer of the Public Works Department.

### MONTREAL POST OFFICE

To **Mr. Bourassa's** question, whether it had come to the knowledge of the Government that certain extraordinary dismissals have recently taken place in the Post Office of the City of Montreal, by order of the Postmaster of that place, and whether the Government is in a position to communicate to this House the reasons which occasioned such dismissals?

**Sir John A. Macdonald** said there had been two or three dismissals recently from the Post Office at Montreal. The Postmaster-General had made enquiries regarding the loss of certain money letters. After hearing the parties, he made up his mind that the explanations were not satisfactory, and the dismissals accordingly took place.

### WEIGHTS AND MEASURES

To **Mr. Pozer's** question, put by **Mr. McConkey** in his absence, whether it is the intention of the Government, at an early date, and whether in this or in the next part of this session, to take any and what steps towards adopting a common standard for weights and measures for the Dominion?



Hon. Mr. Rose said it was the intention of the Government during this session to introduce a measure for the adoption of a common standard for weights and measures for the Dominion.

#### DUNDAS AND WATERLOO ROAD

Mr. Young enquired whether a settlement had been had of accounts between the Government of Canada and Thos. Robertson, in connection with the Dundas and Waterloo Road; and if not, what steps have been taken to secure a settlement. And, further, whether the said Thos. Robertson has furnished vouchers for his expenditure during his management of the said road.

Hon. Mr. Rose said Mr. Robertson had rendered an account, but without satisfactory vouchers. He had been called upon to furnish proper vouchers, but had not yet done so.

Mr. Young—And consequently the accounts are not yet settled?

Hon. Mr. Rose—No.

#### TORONTO EXCISE INSPECTOR

To Mr. Harrison's question whether the Government has taken any, and if any what steps towards filling the office of Inspector of Excise at Toronto, vacated by John Rose, the former Inspector? (Laughter).

Sir John A. Macdonald said it was the intention of the Government, at an early day, to fill the office of Inspector of Excise at Toronto, vacated by John Rose.

#### CUSTOM HOUSE AT CALEDONIA

Mr. Thompson (Haldimand) inquired whether it is the intention of the Government to re-establish the Custom House at Caledonia.

Hon. Mr. Tilley said the Government now had under consideration the whole subject of the inland ports, and could not at present answer this question.

#### CLAIMS OF G. H. RYLAND

Mr. Shanly moved an address for correspondence between the Imperial and Local Governments, proceedings in Council, etc. relative to the claims of G. H. Ryland, Esq. Carried.

#### FINES AND SEIZURES

Mr. Savary moved for a return of fines and seizures in the County of Digby, for breaches of the revenue laws since the 1st of July last. Carried.

#### DEBT OF SOREL

Mr. McCarthy moved for a return of the sums paid by the corporation of the Town of Sorel, on account of their indebtedness to the Municipal Loan Fund. Carried.

#### MONTREAL POST OFFICE

Mr. Benoit moved for a return with reference to the employees in the Post Office at Montreal. Carried.

#### BANK OF MONTREAL

Mr. Parker moved for a return with regard to the accounts between the Government and the Bank of Montreal. Carried.

#### CONVICTIONS AND PENALTIES

Mr. Cimon moved for a return of convictions and penalties levied under the fish and game Act in the district of Saguenay. Carried.

#### NORTH-WEST TERRITORY

On motion of Hon. Mr. McDougall, the Address on the subject of the incorporation of the North-West Territory was read a second time, and ordered to be engrossed, and a message was ordered to be sent to the Senate, requesting the concurrence of that House.

#### THE CUSTOMS

On motion of Hon. Mr. Tilley, the Act respecting the Customs was read a second time, considered in Committee of the Whole, and ordered to a third reading at the next sitting of the House.

#### INLAND REVENUE

On motion of Hon. Mr. Rose, the Act respecting the Inland Revenue and the Act respecting the collection and management of the revenue, and the auditing of public accounts, were read a second time.

#### STAMP DUTIES

On motion of Hon. Mr. Rose, the House went into Committee on Ways and Means on a resolution extending to the Maritime Provinces, the stamp duties heretofore in force in the late Province of Canada.

## COL. T. R. FERGUSON

The order of the day being called for the motion by **Mr. Mills**, for the report of the Court of Enquiry in reference to the conduct of Lieut. Col. T. R. Ferguson, while on his way to Niagara frontier during the Fenian invasion, Mr. Mills did not happen to be in his place.

**Mr. Ferguson** said he had no objection to the report being laid before the House, but he did not choose to let this motion remain on the notice paper so long as it pleased the honourable member to let it remain for the purpose of tantalizing and annoying him. (Cries of "Drop, drop".)

**Sir John A. Macdonald** said a motion of this kind, affecting the character of a member of the House, should not be entered upon lightly, and if entered upon at all, should be disposed of promptly. He thought it should be either proceeded with or dropped.

**Mr. Mackenzie** said this was the first time the motion had come up. He had sent for the member for Bothwell, and believed he would be here presently. The notice could be called again when the honourable gentlemen was in his place.

**Mr. Ferguson** asked the Leader of the Government to say whether he (Mr. Ferguson) had ever spoken to him on the subject except to desire a court martial and a full investigation of the case.

**Sir John A. Macdonald**, in reply, read a note he had just received from Mr. Ferguson, saying he would be glad if a court martial were granted. The note, he remarked, should have been addressed to the Minister of Militia.

**Mr. Mills** a few minutes afterwards entered the House, and took the first opportunity which presented itself of moving his motion.

**Hon. Mr. Cartier** said the circumstances of this case had transpired before he had taken charge of the Militia Department. He was not aware what the information asked for was; but if it was of similar character to that asked for a few days ago in the case of Col. Dennis, he thought it should not be granted. He would ask the mover of the motion to let it stand over till he (Mr. Cartier) had made inquiry into the case.

The motion was accordingly allowed to stand.

## REPORTING THE DEBATES

The motion being read for the adoption of the fifth report of the Printing Committee relating to an official report of debates,

**Mr. Mackenzie** said as many members had gone, he would drop the motion, intending to bring it up during the next part of the session. Meanwhile, of course, the reporters who had been taking notes under instructions from the House would be paid for their trouble.

**Sir John A. Macdonald** quite concurred in this proposition, and said the reporters would continue to take notes.

**Mr. Pope** objected to the House being pledged to pay the reporters.

**Sir John A. Macdonald** said if the House did not, he and his honourable friend from Compton (Mr. Pope) would pay them themselves. (Laughter).

The matter then dropped.

## THE NORTH-WEST

In answer to **Mr. Mackenzie**,

**Hon. Mr. McDougall** said it was the intention of the Government to present the Address to Her Majesty respecting the North-West as speedily as possible. The Imperial Government were also anxious to dispose of the matter, and he hoped when the House met again to be able to lay before them the conclusion which the two Governments had arrived at. The resolutions and amendments would be sent along with the Address.

## RAILWAYS AND CANALS

**Mr. Macfarlane's** Bill respecting the regulation of traffic on railways and canals, was, at the request of the Premier, laid over till next session. The Government promising to bring a measure then which would cover the object of said Bill.

## STAMP DUTIES

In Committee of Ways and Means,

**Hon. Mr. Fisher** strongly objected to extending the imposition of stamp duties to the Maritime Provinces. It would not bring in much revenue, and would be a great burden, especially upon the rural districts. It was the last mode of raising revenue which should be resorted to. He hoped the Government would postpone this measure, at any rate till next

session. If pressed through now, it would only make the Union more odious to the Lower Provinces than before.

**Hon. Mr. Rose** thought if there was one principle enunciated more clearly than another, the other night, it was that the system of taxation to be put in force should bear as equally as possible on all parts of the Dominion, and the proposition now before the House was merely carrying out the principle already affirmed, and extending the law in force in the old Province of Canada to other parts of the Dominion.

**Mr. Savary** entirely concurred in the observations of the honourable member for York (Mr. Fisher) though he was rather surprised at hearing that gentleman raising objections, when he must have known, as a supporter of Confederation, that this would be one of the inevitable consequences. It seemed to him this was the last species of taxation to which we should resort. He should prefer to have duties on other articles, such as brandy and other liquors, etc., increased, rather than to adopt a means of raising revenue which would be so obnoxious to the people of the Maritime Provinces.

**Mr. Blake** thought it very inexpedient to adopt this proposition now, when the whole system of taxation was to be revised at the next part of the session. The expense of providing machinery for carrying out the imposition of stamp duties in the Lower Provinces would thus be incurred, when it might subsequently turn out that this mode of raising a revenue was not applicable to them.

**Hon. Mr. Rose** said that his honourable friend was under a misapprehension in supposing that it was not the policy of the Government to continue the stamp tax in force. He had no hesitation in saying that such was the policy of the Government, and they intended putting it in force in the Maritime Provinces at the earliest possible moment.

After the recess,

#### INLAND NAVIGATION CO.

A message was received from the Senate reporting the adoption of the Bill respecting the Inland Steam Navigation Company, with amendments, which were concurred in.

#### ST. LAWRENCE & OTTAWA R. R.

The Bill to incorporate the St. Lawrence and Ottawa Railway Company was read a third time and passed.

#### BANK OF UPPER CANADA

**Hon. J. H. Cameron (Peel)** moved the third reading of the Bill for the settlement of the affairs of the Bank of Upper Canada.

**Mr. Blake** suggested that the two trustees to be appointed by the Government should not be shareholders.

**Mr. T. Ferguson** thought that it would be better to allow shareholders one trustee, Government another, and the country bill holders a third. He also opposed the principle of giving votes according to the number of shares held.

**Hon. Mr. Cameron (Peel)**, did not think it wise to make any change in the measure as it stood. Government were themselves largely interested in seeing that the affairs of the bank were wound up as rapidly and economically as possible. He thought it highly desirable that a general measure for the winding up of corporations should be carried through, and if Government were not disposed to take up the question, he should bring in such a Bill himself.

**Sir John A. Macdonald** intimated that such a measure would be brought in.

**Mr. Ferguson** contended that an unjust discrimination had so far been made in favour of large creditors.

**Mr. Street** said there had been no disbursement made which had not been founded upon the strictest impartiality. Under the powers of the assignment, the trustees had the power of accepting all claims proved on examination to be just. As to votes being given according to the number of shares held, that was precisely the principle adopted by the House in the case of the Commercial Bank bills. As a shareholder possessing large individual interest in the bank, he thought the Bill was for the benefit of all concerned. For his own part, he would gladly be released of his duties as one of the trustees.

**Mr. McConkey** said there was undoubtedly great dissatisfaction as to the mode in which the affairs of the bank were being wound up. He thought the period within which a settlement was to be made should be fixed, and that the trustees to be appointed by Government should not be shareholders.

The Bill was read a third time and passed.

#### CUSTOMS

On motion of **Hon. Mr. Tilley**, the Act respecting Customs was read a third time and passed.

On motion of **Hon. Mr. Rose** to go into Committee of Ways and Means, **Hon. Mr. Holton** said he did not at this late stage of the session desire to delay the business of the House by going at any length into a review of the financial statement of his honourable friend opposite (Mr. Rose), nor should he attempt to reconcile the conflicting statements made by him and by his predecessor in office. He should admit, for the purpose of his observations, that the statement of the Minister of Finance was correct. It was quite apparent that we had a very large floating debt, for which gentlemen on the treasury benches were responsible. It was the old floating debt of the late Province of Canada—nothing more and (he was sorry to say) nothing less than a year ago. It was quite apparent that the legislation of last session, which was to cancel that debt, had proved an entire failure, for in spite of it the debt we had now to deal with was at least quite as large and progressively increasing as when we last had the subject under consideration. But he proposed to turn his attention rather to the remedies which the Finance Minister had proposed in these resolutions before the House than to the extent of the floating debt itself. He would merely remark with regard to the character of that debt, that it was, in his judgment, exceedingly to be regretted that so large an amount was still due to the Bank of Montreal. He thought that institution was placed in a false position by being continually creditor of the Government to so large an amount. It was deprived of its power to serve adequately the interests of the commercial community, by having nearly all its capital locked up in loans to Government, and it was not to the interest of the country that any one institution should be placed in a position to enable it to exercise so much influence over the Government. What occurred after the passage of the Legal Tender Act of last session—which the Government of that day represented as essentially calculated to enable it to fulfil its obligation to its creditors? Within less than one fortnight after it received the Royal Assent, the then Minister of Finance, by private bargain with the Bank of Montreal, stipulate for the repeal of that measure *quoad* all the other banks of the country, for it appeared by the papers which had been laid before the House that no other bank could obtain the advantage of that Act, if advantage there was to be obtained, without giving six month's notice to the Bank of Montreal. Then he came to another specimen of the power exercised by the Bank of Montreal, through its Manager, over the

Government of the day, as exhibited in the tone of that now famous letter of Mr. King, addressed to the late Minister of Finance, made public by being read to the House the other day. He would say it was degrading to the Government and humiliating to the country that an officer of any monetary institution should be in a position to address the Finance Minister in such terms. (Hear, hear). He was pained when he heard that letter read on the floor of the House, as he was sure every other gentleman who heard it must have been; and he repeated that this humiliation was brought on the House and on the country by the indebtedness of the Government to the Bank of Montreal. Then we had the finger of this gentleman (Mr. King) undoubtedly in the proposed policy of the Government on the silver question. His honourable friend, the Minister of Finance, told them he could not disclose to the House the policy which he intended to follow in reference to this question. When he asked the House to consent to what he (Mr. Holton) considered a preposterous proposition as standing alone, but which might appear differently, he was prepared to admit, if forming part of a comprehensive scheme. He (Mr. Rose) did not tell them what his policy was simply because Mr. King had not disclosed to him his policy in this regard. Mr. King had evidently disclosed this absurd proposition of 15 per cent duty, and the policy, when we got it, would be to gather up this large amount of floating silver, and redeem or replace it by paper currency, the manipulation of which would be given by Government to Mr. King, and the profits of which would accrue to the Bank of Montreal. He knew that it would be said, as it had already been said in the press and in the House, that he (Mr. Holton) was responsible for giving Mr. King all this power, that he made the arrangement by which the Bank of Montreal was made the financial agent of the Government. His answer to that charge was simply this: by the arrangement which he made with the Bank, on behalf of the Government of the late Province of Canada, and so long as the administration of the finances was in his hands the Bank of Montreal was the agent, and most useful agent, of the Government of the country, and not its master, as it had since become, owing to the mode by which he (Mr. Rose) proposed to deal with the finances of the country, or rather to raise money in order to cancel the large floating debt, there were a great variety of them, and it seemed to him the list was quite too long if it looked only to raise the amount of this floating debt of five or six millions. In the

first place, he (Mr. Rose) proposed to extend the circulation of legal tenders, thus deranging still further the bank circulation of the country, and maintaining that state of uneasiness which had existed ever since the passage of that unfortunate measure last session. Then, he proposed to issue exchequer bills, which would, no doubt, if it succeeded, also displace bank circulation, without dealing at all, comparatively, with the question of banking and currency. Then he had a new stock which he proposed introducing. What must be the effect of it? His honourable friend said that he was opposed to doing anything to interfere with bank deposits, but the whole amount of this new stock must be withdrawn from deposits of the Banks. Another of his remedies was to gather up all the petty savings of the industrious classes, and to convert them to the purposes of Government representing them by Government paper instead of permitting them to be employed in the ordinary purposes of trade. The silver question he had already referred to. His honourable friend would not deny that statement from the Minister of Militia the other night that the purpose of Government was to utilize this question to their own purpose. Of course, the next step in their programme would be some scheme for the redemption of this silver. He would ask at what rates he now had millions of it in circulation, and it was of some importance to the public to know what value they were to attach to that property; meanwhile disturbance was added to disturbance in commercial circles by the mode in which the Government proposed to deal with this question. Referring to the proposition respecting life insurance, etc., he observed that he was not prepared to say a portion of the public debt might not be fairly converted to terminable annuities, but unfortunately these measures were only proposed for the purpose of contracting new and additional burdens. All these measures would have the effect of sweeping into the coffers of Government a large amount of the floating capital of the country without giving anything in its place, and that not for the purpose of reducing the burden of our national debt, but of raising a few millions for other purposes which would be known further on. He maintained that the course of Government was exceedingly unwise. In 1870, the bank charters expired, and it was of the last importance that the country should know at the earliest possible moment by what means it was proposed to supersede the present bank system. Government should

be satisfied with letting in this part of the session such measures of revenue as were absolutely required, and leave till the House met again the full consideration of those for reaching financial measures, and to root them together as it were in order that they might form one consistent whole, so that the country may not be kept in the present disturbed state any longer.

**Hon. Mr. Rose** never heard a more illogical speech from his honourable friend (Mr. Holton) than the one he had just listened to, in reply to which he stated that the money they would get from life assurance companies would not be foreign capital, but would come from foreign parties in England and the United States, who had their agents here. These companies would necessarily bring money here, which would be loaned to Government at such a rate of interest as they could afford to pay. His honourable friend asked how they were to get money for this Dominion stock. There was a large sum of money in the country, which was invested in mortgages, municipal securities, and American bonds, and a large amount in banks seeking investments, which would be invested in Government securities with a fair rate of interest, if time were given for people to get their moneys from places where they were now invested. He thought it would not be long before the country would be in such a position that Government would not be beholden to its financial agents. In answer to the honourable member for York, he said that last year they had reduced their tariff to a great extent for the purpose of assimilating it to the tariffs of the Lower Provinces, and large concessions had been made them in this tariff particularly in the articles of tea, molasses, shipbuilding material, and flour. In regard to stamp duties, he thought that was the best mode of getting a revenue, as it was a duty which was not borne by the poor, but the rich, being mainly derived from wealthy merchants.

**Mr. Killam** repudiated the statement that Nova Scotia had been liberally dealt with, and, with regard to the silver question, thought that it would be preferable to fix a stated value for all such coin, as they in the United States had done for Mexican dollars and doubloons, than to impose a duty which would not have the effect either of reduction or exclusion.

**Dr. Parker** said, up to this date the Ministry had not brought down any measures that were not provisional in their character,

with the single exception of the stamp duties. Considering that the Ministry professed to include the aggregate talent of all parties he thought they had proved themselves very inefficient. He made every reasonable allowance for the position of the Minister of Finance who had only come into office during the present session, but that was no good reason why the proper estimates had not been submitted to the House when there were three members of the treasury board who had been in the Government since last July. He felt satisfied the expectations of Government would be disappointed as regarded the Customs revenue they anticipated in the current year. There were large stocks of goods now on hand at different points, and prices of several articles had fallen very much so that the duties collected from those articles would be much less. He fully anticipated at the close of the financial year a larger deficiency than was estimated by Government. As regarded the position of the Maritime Provinces, he thought it would have been better if Government had postponed all those measures affecting Customs, Excise, Stamps, etc., until they were prepared to bring down a full and complete measure. By the course Government were now taking they were simply grasping at a shadow and were alienating the minds of the people of the Maritime Provinces. He desired to say a word on the question of expenditure. When the question of Confederation was before the House, it was estimated by the member for Sherbrooke that the total cost of the General and Local Governments would not much exceed the cost of governing these Provinces separately. Dr. Parker proceeded to give figures to show that the actual increase was four and a half millions. The expenditure was over seventeen millions. If it went on in the same way, it would in a short period be raised to twenty millions or more. He was afraid that when it came to be generally understood how costly was our Government, it would shake the confidence of the people not only of the Maritime Provinces, but of the West, in our new system. As regarded the modes proposed for extinguishing the floating debt, he thought some of them were mere fancy schemes. He believed their general effect, at least in Ontario, would be to contract the facilities given by banks for the commercial operations of the country. The Government should endeavour to bring the revenue up to the expenditure, and then floating debts would not have to be provided for. Referring to the explanations

[Dr. Parker (Wellington Centre)]

given by the member for Sherbrooke, as to the failure of the Commercial Bank, he said he believed the country would come to the conclusion that it was the duty of the Government to have come to the assistance of that bank. Had they done so, they would have averted the commercial crisis which followed, and which required them to sustain not one bank merely, but all the banks when threatened with a general run.

**Mr. Cartwright** urged the Government to dispense with stamp duty on sums of less than \$25, which was a great annoyance to the agricultural community, and produced only a trifle in the aggregate. He did not think the stamp duties on larger notes were any inconvenience.

**Mr. Morris** believed the country would regard the policy by which the Government proposed to provide for the floating debt as a sound one, as the initial step towards placing a large portion of our debt in the position of being borrowed from home source, the interest on which, instead of going into other countries, would pass into the hands of our own people. The Postal Savings Bank would prove a great boon, providing the industrious class with facilities for laying up savings against a rainy day or against old age. He was satisfied also that the establishment of a Dominion stock would be favourably regarded by the people of this country. From enquiries he had made, he believed not less than ten million dollars were now invested by persons residing in this Province in American securities. The reason of this was that there was a large class of funds in the Province for which we furnish no proper means of investment. The establishment of an annuity fund, which had proved successful in England, would, he had no doubt, be successful here also. He hoped we would soon have a Canadian coinage which would displace the American silver now in circulation.

**Mr. Pope** said that it was well to take what American money we could get whether it came in greenbacks or in silver. He had been pleased to hear the member for Wellington (Dr. Parker), and the member for West Durham (Mr. Blake), express so much confidence in Mr. Galt for whom he (Mr. Pope) had always cherished great personal and political friendship. It had not been customary for gentlemen opposite to think so highly of that gentleman.

**Hon. Mr. Tilley** said it was gratifying to find that the propositions of the Finance Minister for meeting the floating debt had met so generally with the approval of the

House. It should be remembered, however, that while the propositions would absorb gradually the surplus capital in the Dominion, the expenditure of fifteen millions of English capital in the construction of the Intercolonial Railway would introduce a great deal of money which in a year or two would place Government in a position independent of the Bank of Montreal and its other financial agents. He then proceeded to reply to the speech of Mr. Connell, on Friday night, in which Mr. Tilley was charged with bringing heavy burdens on New Brunswick, although he had declared down there that no heavier taxation would be laid on New Brunswick after than before the Union. He still adhered to that proposition. The mode of levying the taxes might be different, but the total revenue collected from New Brunswick would not be greater than she paid in 1866.

Mr. Connell said, at this late hour looking around the benches, and seeing the spirit evinced during the debate, it was of little consequence what might be said by those who were opposed to the resolutions now before the House, as he saw there was a determination to pass them without change. He did not come here to give his vote against a just share of taxation being placed upon New Brunswick, but on the contrary desired to aid and assist the Government to consolidate the Union. The House would quite understand his position when he said that no honourable member in that Parliament had given more time, of worked more, for a Union of these colonies than he had. It had cost him a great deal of anxiety. He trusted that even yet the Government would so modify these resolutions that they would be more in accordance with the wishes of the people he represented. But if he should be disappointed, and the prophecies of those who were opposed to Confederation were to be fulfilled, the House would imagine the position of those so situated. During the progress of Confederation in New Brunswick we were told by the honourable and learned member for Westmoreland, that our interest came in conflict with that of Canada. He regretted to find that the predictions of his honourable friend were likely to be verified in the passing of these resolutions so injurious to our interests. He (Mr. Connell) had listened with much satisfaction to the clear and lucid statement of the Finance Minister. He was quite sure that any misapprehension with reference to our finances, was clearly met and explained by that honourable gentleman. He felt bound to say the statement was a credit

to the Finance Minister, and fully justified the reputation he held as a public man. His explanations will go far to satisfy the public that the finances are not in so bad a state as was supposed by the public. Still the mode of managing the finances, and allowing these deficits to accumulate was injurious to the country. He was pleased to find the Finance Minister had suggested a mode whereby that evil would be remedied. He did not think the financial condition of New Brunswick had been fairly represented, or understood, in this House. Previous to the first of July last, at the time of entering the Union, all the demands on the Treasury including the railway subsidy, were promptly met. In addition to which there was placed in the Local Treasury an amount sufficient to meet all the demands which the Local Government was liable to. We learn from a statement of the Finance Minister that on the first day of July last there was \$250,000 in the hands of the Treasurer of New Brunswick, which was placed to the credit of the Dominion. We had no floating debt, but came here with a clear sheet, and were able to hand over to the Union \$250,000 instead of asking of them to meet our Legislative appropriations, and the amount the Government were liable to pay by law. This was the state of the case in New Brunswick on the 1st July, 1867, and he thought the House would say this position was quite satisfactory. What he (Mr. Connell) complained of was the hurried manner this measure was forced through the House at this late period of the session. Why this haste and hurry? We have existed six months and heard no complaint. He saw no harm in allowing the matter to lie over for the next two months. He regretted that the advice of the honourable member for Sherbrooke had no effect upon the Government. Considering the recent position of that honourable member in the Government it is to be regretted that his advice had not been listened to. On my return home the question will be asked, what have you done for us at Ottawa? The reply will be, we have discussed many important measures and a tariff has been passed, lessening the duty on gin, wine and brandy, but increasing the duties on tea, molasses and sugar, and also placing a duty on flour and meal, which has hitherto been unknown in New Brunswick, and we have in prospect a Stamp Act and postage on newspapers. This would be an unpleasant communication to make to his constituents on his return, and what is more, the honourable and gallant knight at the head of the Government stands

forth so defiantly, and tells the representatives from the Maritime Provinces that this measure must be pressed through, and that at once without change, notwithstanding the almost unanimous protest of all the members from New Brunswick and Nova Scotia. No doubt this may be gratifying to the opponents of Confederation, but what is the position of those who aided in placing matters in their present position? It is to be regretted that the Government have resolved to take a course so objectionable to the representatives of the Maritime Provinces. He regretted to make these statements, but he felt it a duty incumbent upon him to do so. He entered his protest against the course pursued by the Government in the present resolutions by taxing people's bread and other necessaries of life. This is not what the friends of the Minister of Customs or the people of his Province expected from him. He may continue in the Government unsupported by the members from New Brunswick in this all important measure, but that is a matter in which he must act in accordance with his

own judgment, and leave people to form their own opinions.

The Minister of Customs had said the representatives from New Brunswick and Nova Scotia are alarmed without cause. Their vote on this question will show what they consider to be their duty to their constituents and the Dominion. The people of New Brunswick did not expect at this first session that a measure would be brought down which would so injuriously affect their interests. They did not expect the Minister of Customs would have introduced a measure, which from his speeches on the platform at the hustings, and in the Legislature, they were led to believe he would have been the first to protest against. We were led to believe our taxes would not be necessarily increased. What we do desire is a fair distribution of the taxation, or to delay this measure until the adjourned session.

Mr. Connell then read the following statement of the tariff now existing in New Brunswick, and the proposed tariff for the Dominion:

	Proposed Tariff	N.B. Tariff
Spirits, etc., per gall. ....	80¢	Brandy .. 80¢
		Gin ..... 60¢
		Rum ..... 70¢
		and 3 per cent.
Cordials .....	\$1.20	50¢ and 3 do
Tinctures .....	30¢	30¢ do 3 do
Ale, Porter, etc. ....	57¢	10¢ do 3 do
Oil, Coal and Kerosene, etc. ....	10¢	15¢ do 3 do
Sugar, etc., per 100 lbs. ....	3.00	\$1.25 do 3 do
Sugar, white, etc. ....	2.60	2.00 do 3 do
Sugar, yellow and brown .....	2.25	1.25
Sugar, Brown Muscovado .....	1.90	1.25
Any other not equal to Brown Muscovado ..	1.68	1.25
Molasses, if used for refining purposes, or for manufacture of sugar, per 100 lbs. ....	73¢	2¢ per gallon
or	6½¢	do
Molasses not so used per 100 lbs .....	55¢	2¢ do
or	5¢	do
Coffee, green, per lb. ....	3¢	2½ per lb.
Common Soap per lb. ....	1¢	1¢ and 3 per cent
Cigars per m. ....	\$3 to \$6	12½¢ and 3 do
Flour per bbl. ....	25¢	free.

[Mr. Connell (Carleton)]



This statement shows the difference between the two tariffs, and will be readily understood.

The Minister of Customs has made a statement showing the benefits the people of New Brunswick will receive by reducing the duty on the following articles:

On brandy .....	\$ 2,850
On rum .....	15,380
On wine .....	12,097
On ale .....	13,712
Unenumerated articles .....	1,820
Free list .....	44,504
Sundries .....	15,000
These reductions amount to .....	\$110,000

He did not consider this any great boon, particularly as it was purchased at an increased duty upon flour, tea, molasses, etc. It would have been much better to have reduced the duty on those articles, and retained it on some articles in the free list. This free list particularly benefitted the importer and the ship builder, but was of no value to the mass of the people in the rural districts.

Let us look at the increase on the articles named by the Minister of Customs (Mr. Tilly). The great saving referred to has been effected by increasing the duty on

Ales .....	\$ 10,000
Tobacco .....	24,000
Molasses .....	25,000
Tea .....	22,000
Sugar .....	27,000
Flour .....	12,500
Corn .....	6,000
Spices and perfumery .....	600
Amounting in all to .....	\$130,000

These figures refer to New Brunswick. Thus the Minister of Customs endeavours to show that the taxation is increased only \$20,000. This was not so. He did not complain of the increase, but he protested against the mode and manner of its distribution: instead of its being a relief to the farmer and mechanic, it is just the reverse. This measure is unknown to the people of New Brunswick, but it is not so to the people of Ontario and Quebec, with their ready means of communication. By estimating the revenue of New Brunswick last year, and comparing it with a

fair estimate of what it would be for the coming year, he found the following estimated results:

On tea .....	\$ 27,000	
Coffee .....	77	
Refined sugar .....	20,679	
Molasses .....	29,750	
Leather .....	895	
Indian Corn .....	7,360	
Cotton warps .....	7,860	
Printing paper .....	1,690	
Tobacco .....	46	
Whiskey .....	21	
Gin .....	12	
Cordials .....	4	
Rum .....	24	
Alcohol .....	\$146,000	
Internal Revenue .....	\$ 51,500	\$202,908
Less \$70,000 free list.		

This reduction of \$70,000 is estimated in consequence of the free list, and reduction on the 15½ and 18 per cent dutiable goods, which is now reduced to 15. This will make an increase of our tax of \$223,000 at a low calculation. This increase would not have been required in New Brunswick for a long time to come. The increase is now unfair and is for the benefit of Quebec and Ontario. The debt assumed by the Dominion for Canada is \$62,500,000, for Nova Scotia \$8,000,000, New Brunswick \$7,000,000. New Brunswick has yet to receive from the Dominion \$1,300,000, to make up the debt with which she is entitled to enter the Union. Thus we are raising this revenue in order to make up not only the floating debt of Canada, but the interest on the \$17,500,000 over and above the amount they were entitled to enter the Dominion with, costing the Dominion about 7 per cent, while they were only receiving 5 per cent from Quebec and Ontario. He concluded by stating that owing to the lateness of the evening he would not further trouble the House, although these resolutions were of great importance to the Union. He regretted that the Government had pursued such a course, with reference to the tariff, by enacting a temporary tariff with no fixed policy with regard to the taxes of the country, and which he regretted to say would be unsatisfactory to the people he represented, and to the Province at large.

**Hon. Mr. McMillan** said the arguments advanced by his honourable friend the member from Hants and the honourable member from York, who had just now addressed the House, were more against the distribution than the amount to be raised by those duties. He shared with them in that opinion, the necessities of life should be as exempt as possible from taxes. His opinion always had been that in Union the revenue would to a large extent be raised from the luxuries of life, that with a population of four millions and always increasing there would be manufactured within the Dominion those articles which are largely consumed by the mass of the people, and the duties would have to be imposed on those articles consumed by the richer portion of the community. He regretted that the Government had not relieved some of those articles that are viewed as the necessities of life, and imposed a higher duty on those which may fairly be considered luxuries of life. True, the Minister of Customs states that this is only temporary, and that the whole tariff will at an early date be revised—that it will take some time to ascertain the effect of free intercolonial trade on the Revenue of the country. He agreed with his honourable friend that it required some time to arrive at a correct conclusion on this point; he would, however, feel it his duty to vote against some of the sections. His honourable friend from Gloucester charged the Minister of Customs with making statements against his own Province, but that honourable gentleman forgets that he has made statements that cannot be borne out by facts against the whole Union party from New Brunswick. He states that the people had no time to deliberate. The people were twice appealed to on this question, they rejected it the first time because they had no time to deliberate, but after further deliberation they accepted it with an overwhelming majority. His honourable friend takes the revenue of 1866, by far the largest that was ever collected in that Province, to base his calculations on what New Brunswick will contribute to the Revenue of the Dominion, but let him take an average of ten years, and he will find the result very different. The average Revenue from all sources for the past ten years is \$815,000, deduct from that the Canal and Territorial Revenue and Export Duty \$90,000, and you have an average of \$725,000, which the Dominion Government will control, then take the other side of the account. The Dominion pays the interest on \$7,000,000 subsidy of 80 cents per head, subsidy of \$50,000, and for ten years \$63,000. Governor and Judges'

[Mr. Connell (Carleton)]

salaries, Penitentiary, Colonial and Provincial Revenue, deficiency of Post Office, Military and Militia, Steamboat Subsidy and Inspection, amounting in all to \$877,500. I regret to be obliged to go into these particulars, but feel in duty to myself and the party with whom I have always acted, to show that New Brunswick has not suffered in the arrangements. His honourable friend from Carleton complained of the Bill now before the House, but his honourable friend was largely responsible for the present state of things in his own Province, and for the increased tariff that would have been required there whether Union was accomplished or not, the subsidies which were forced upon the people of the Northern part of the Province to build railroads, connecting every county in the East and West will amount to one million eight hundred and fifty thousand dollars, and the honourable member from Carleton and York are largely responsible. He (Mr. M.) did everything he could to prevent it, and when he could not prevent it altogether he tried to make the burden as light as possible. This money is expended in his honourable friend's neighbourhood, and their counties West and East are connected by railway at the expense of the Province of New Brunswick, and I have no doubt when the Intercolonial Railway Bill is submitted to the House these honourable gentlemen will have the boldness to advocate the Frontier route, or the Central route so-called, which is also within a short distance of the frontier. The interest on this one million eight hundred and fifty thousand dollars would have to be paid in addition to the present liabilities of New Brunswick, and that could only be met by increasing our tariff whether in the Union or not, again if we built the Intercolonial Railway assuming  $3\frac{1}{2}$  twelfths as by law we undertook to do. This would incur an additional debt of one hundred and seventy-five thousand dollars, that along with the one hundred and nine thousand dollars the interest on the subsidies for Western and other extensions could only be met by an increase of tariff, very much larger than will be required under this Bill.

**Mr. Metcalfe**, in reference to the explanation of the member for Sherbrooke the other night, charged the Bank of Montreal with the responsibility for the failure of the Commercial Bank, and with creating a panic in order to ruin Western Banks, especially the Royal Canadian. So far from the explanation of the member for Sherbrooke satisfying him of his innocence in the matter, he (Mr. Metcalfe) believed that there was a collusion

between that honourable gentleman and Mr. King, a deliberate intention on their part to destroy the Banks of Western Canada. During the panic, horsemen were employed, by whom he (Mr. Metcalfe) could only guess, to go through the country, north of Toronto, and advise people to bring their notes into the city and obtain gold for them, and the Bank of Montreal did everything it could covertly to discredit the Royal Canadian Bank, which was the first attacked, because it had somewhat larger circulation than the other banks. It was only when that bank showed its ability to sustain itself by depositing \$50,000 in gold with the Bank of Montreal to meet its balances that the Bank of Montreal ceased its efforts. The correspondence read by the member for Sherbrooke showed how much Mr. King was annoyed by the Government offering to receive the notes of chartered banks, established clearly to his mind the fact that there was then and still existed a deliberate conspiracy to destroy the banks of Western Canada.

**Hon. Mr. Fisher** strongly opposed the imposition of the stamp and flour duties, especially when the duties on brandy and other spirits were reduced. He complained that the representatives of Western Canada did not appreciate the position of the people of New Brunswick, or they would not support taxes which, being new, burdensome, and unsuited to their condition, must necessarily become odious.

**Mr. Ferris** was surprised that such a temperate man as the Minister of Customs would propose a decrease of duty on spirits, and impose taxes on articles of food as well as newspapers. He thought that honourable gentleman would have resigned office before consenting to make such propositions. (Laughter.) He thought the tariff justified what had been said by the opponents of Confederation, and he was sorry the people of the Lower Provinces had not been more justly dealt with.

**Mr. Webb** defended the member for Sherbrooke against the violent attack made upon him by the member for East York, and said that the Government should have had the boldness to make his charges when the member for Sherbrooke was in his place and had an opportunity of defending himself.

**Mr. Gibbs** thought the stamp duty would not be found so objectionable in the Lower Provinces as some honourable members seemed to suppose. He had feared its opera-

tion in Canada but the result showed no form of taxation which was more cheerfully borne by the people. With regard to the explanations of the member for Sherbrooke, there was a lurking suspicion that the real cause of that gentleman's resignation had not yet been fully told. He (Mr. Gibbs) believed he had fallen a victim to his legal tender scheme, and he hoped the Government would not push that scheme to a greater length, for still more injurious effects must follow. Business in the West was now very much embarrassed in consequences of the uncertainty on the part of the banks as to their future course. He trusted Government would see its way to loosening its connection with the Bank of Montreal, and to the liquidation of its floating debt, by some other mode than the issue of legal tenders.

**Mr. Anglin** opposed the new duties proposed by Government, but regarded them as the result of Confederation.

**Mr. Ferguson**, did not believe any propositions could have been offered which would have satisfied honourable gents from the Lower Provinces. They complained when duties were increased, and also complained when they were reduced, so that it appeared at most impossible to please them. With regard to the Bank of Montreal, he hoped, if its connection with the Government continued, that it would either open agencies of its own, or use those of other Banks in the country northwest of Toronto, in order that people in that locality who received Government drafts, might get them cashed without having to submit to discount.

**Mr. Ross (Dundas)** thought if any portion of the Dominion had cause of complaint it was central Canada, as large sums of money were to be expended on the Intercolonial Railroad, and on the opening up of the Red River territory in the West. He regretted sincerely the discontent which prevailed in the Maritime Provinces, but thought they had no cause of complaint. As to the tariff that was fair and equitable to all parts of the Dominion.

**Mr. Read** suggested that the stamp duty be removed, and that the amount be made up by placing an additional duty of 3 cents a gallon on the three million gallons of whiskey manufactured in Canada.

**Mr. Wallace** thought, if Confederation would turn out a failure, it would be only through bad legislation. He was sorry to see that the

tariff would add to the dissatisfaction and discontent.

The House then went into Committee, and the resolutions were passed, to be concurred in to-morrow.

### INTERCOLONIAL RAILROAD

**Hon. Mr. Cartier** moved the second reading of the Intercolonial Bill.

**Hon. Mr. Holton** said the road would have very little advantage, either in a commercial or military point of view; but, under the circumstances, he could not help regarding it as a political necessity. He objected that Bill did not fix the route. The House ought not to be invited to pass a measure of such vast importance, involving the expenditure of at least thirty and probably forty millions, without having the location of the road fixed, or a reservation in the Bill that it should be submitted to the House before final decision. He noticed that the Chief Commissioners were not, in express words, excluded from Parliament; but as subordinate officers were, he presumed Chief Commissioners would be disqualified. He desired to take this opportunity of referring to another matter connected with the inception and progress of this railway project, in which he and a certain Minister had deep personal interest. He referred to what took place in 1863, when the present honourable member for Cumberland as representing the Nova Scotia Legislature; and the present Minister of Customs as representing New Brunswick, met the Canadian Government at Quebec, to take into consideration the building of this road. It was there proposed that Mr. Sandford Fleming should be sent to survey the route. Dr. Tupper acquiesced in this proposal, and Mr. Tilley first acquiesced, then all but acquiesced, and finally concluded to consult his Government, and submit their decision to the Canadian Government. Then followed the atrocious despatch of the notorious Governor Gordon charging the Government of Canada with all sorts of breaches of faith. The Minister of Customs was at that time one of the constitutional advisers of Governor Gordon, and, therefore, responsible for that despatch. He hoped the honourable gentleman would embrace this opportunity to relieve himself from reproaches which he (Mr. Tilley) must feel he has been exposed to in this matter, and give to the House and country an explanation of his conduct on that occasion.

[Mr. Wallace (Albert)]

**Hon. Mr. Cartier** said when the honourable gentleman had admitted the necessity of the railway, he had admitted the necessity of this Bill. He would remind that gentleman that he (Mr. Holton) himself had, when a member of the Government, advised the building of the same railroad. It should be remembered that for six months in the year Ontario and Quebec had no communication with Europe, except through a foreign country, and Mr. McCulloch might at any moment deprive us of the bonding system, and prevent the transmission of our goods through the United States. He did not anticipate any such difficulty, but the Intercolonial Railway would relieve us from a state of dependence. A great deal of jobbery had been done in connection with the Grand Trunk, but Government would avail themselves of the experience of the past to prevent the recurrence of such jobbery. With reference to the right of Chief Commissioners to sit in Parliament, he must ask his honourable friend not to prejudge the question. A measure will be introduced in the second part of the Session, respecting the independence of Parliament, and this question would then be decided. In regard to the route, the Imperial Act provided that, in order to secure the guarantee of three millions sterling, it was to be left to the Imperial Government to select the route, and, therefore, this Parliament could not deal with the question.

**Hon. Mr. Dorion** said the gentlemen who still occupied the treasury benches were responsible in no small measure for the jobbery and corruption connected with the building of the Grand Trunk and the Parliament Buildings, and it was very little guarantee that the Intercolonial Railroad would be built in an economical way, that the same gentlemen had the supervision of it, if the route was left to be decided in England there would be the same blundering with regard to it as was in regard to the decision as to the seat of Government. If left to be decided in England, two chances to one the worst route, as regards the interests of this country, would be selected. He held it was the duty of this House to indicate the route. This railroad was to be built for a contingency which not one member in twenty believed to be in the slightest degree probable, namely—that the Americans would be so blind to their own interests as to prevent our trade and traffic passing through their country; but in bringing about Confederation, the Intercolonial Railroad had been put in the scale to make

that measure palatable to the Lower Provinces. Confederation could not have been carried without the railroad, and the railroad could not have been carried without Confederation. These two unpopular measures had thus been made to assist each other. But notwithstanding this bribe, Newfoundland, Prince Edward Island and Nova Scotia had gone almost unanimously against Confederation. The only Province that had gone in favour of it, and that with considerable doubt and hesitation, was New Brunswick, which was to be chiefly benefitted by the large expenditure on the Intercolonial. Among those greatly in favour of the two measures was the Grand Trunk Company, who supposed we would be obliged in making the Intercolonial to purchase their line from Richmond to Rivière du Loup at prices which they themselves would fix. There had been jobbing in the construction of the Grand Trunk Railroad, jobbing in the construction of these buildings, and he very much feared there would be great jobbing in the construction of the Intercolonial. He believed that instead of twenty the cost would be nearer thirty millions.

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**Mr. Mackenzie** rose amidst loud cries of "adjourn"—and on motion of **Sir John A. Macdonald** the debate was adjourned.

The House adjourned at a quarter past one o'clock.

#### NOTICES OF MOTIONS

The following notices are given:—

**Mr. Currier**—For a select Committee to act with the Senate Committee, for the purpose of enquiring into and reporting on the classes of Acts for the incorporation of private companies, which properly, under the British North America Act, come within the jurisdiction of the Parliament of the Dominion.

**Dr. Bown**—With regard to the Bill respecting elections, or the independence of Parliament, gives notices of the following resolutions:—Resolved, that no Senator should have any right to vote in the election of a member to serve in the Commons; that it is a high infringement of the liberties and privileges of the Commons for any Senator to concern himself in the election of a member to serve in the Commons House of Parliament.



# HOUSE OF COMMONS

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**Tuesday, December 17, 1867**

The Speaker took the Chair at 3 o'clock.

## ELECTION COMMITTEES

**Mr. Walsh** presented a report from the General Committee of elections, altering the dates for choosing select commissioners, in the case of Kamouraska, to the 8th March; and in the case of Yamaska, to the 24th March.

## POSTAGE AND SAVINGS BANKS

**Mr. Langevin**, in the absence of Sir John A. Macdonald, moved that at the next sitting the House resolve itself into Committee of the Whole to consider resolutions as to imposing rates of postage, and also certain resolutions in respect to a Government Post Office Savings Bank system. Carried.

## REVENUE BILLS

On motion of **Hon. Mr. Rose**, the Bill respecting the inland revenue, and the Bill respecting the collection and management of revenue, the auditing of public accounts and the liability of public accounts, were considered in Committee of the Whole, reported with some amendments, and ordered to a third reading at the next sitting of the House.

In moving the House into Committee to consider the Bill respecting Inland Revenue, **Mr. Rose** said he was sure the House would regret very much the circumstances which had devolved on him the duty of bringing this Bill before the House, namely—the serious indisposition of the Minister of Inland Revenue, who had devoted a great deal of attention to the subject. Its object was to make better provision for the collection of the Inland Revenue, and for ensuring justice being done to the honest trader and the honest manufacturer. Hitherto the revenue had suffered greatly by the law being evaded and by the cost of collection. Gentlemen connected with the various interests affected by the Bill had been in communication with the officers and with various members of the Government, and their suggestion had been considered with an anxious desire to make the provisions of the Bill as little burdensome

to the trade as possible. It might still be susceptible of some slight modifications; but unless the main features of the Bill become law, the Government felt there would be no sufficient security for the collection of the revenue, and he therefore asked the support of the House to aid the Government in passing the Bill in nearly the condition it now is.

## WAYS AND MEANS RESOLUTIONS

**Hon. Mr. Rose** moved concurrence in the resolutions reported from the Committee on Ways and Means.

**Hon. Mr. Holton** asked if any provision was made for the salaries of Lt. Governors. He said it had been understood that until Parliament met the appointments of Lt. Governors would be provisional, but that after Parliament met permanent appointments would be made. He had not observed in the *Gazette* announcement of any such appointments, and he thought the House was entitled to know when they would be made.

**Hon. Mr. Rose** said early in the next part of the session, detailed estimates would be submitted which would give the honourable gentleman the information he desired. As to the other part of his question he did not think Government could answer when or how permanent Governors would be appointed.

**Hon. Mr. Holton** said he was aware he was not entitled to ask how, but he was entitled to ask when permanent Governors would be appointed. He thought also the Finance Minister might have gone a little more into detail in answering his question as to the salaries.

**Sir John A. Macdonald** said the question of the salaries was of very considerable importance, for once settled they would be settled for many years. Government therefore had deliberately postponed the consideration of the question what the salaries should be, whether they should be the same in all the Provinces or whether they should be fixed in proportion to population, extent of duties, etc.

**Mr. Mackenzie** asked whether the Governors at present acting were in receipt of money and to what extent.

**Sir John A. Macdonald**—They are in receipt of no money.

**Hon. Mr. Holton** said in the estimate of expenditure the usual provision for the Montreal observatory was omitted, while provision was made for the observatories in Toronto and Quebec. He desired to call the attention of the Finance Minister to this, that the omission, if accidental, might be remedied.

**Hon. Mr. Rose** made some observations in reply which were inaudible in the gallery.

**Hon. Mr. Fisher** moved that the consideration of the first resolution be deferred till the latter part of the session, to enable the House to ascertain if the amount expected to be derived from Stamp Duties cannot be provided by the diminution of some present unnecessary expenditure or by some other mode of taxation less objectionable, as Ministers have stated their intention then to deal with the whole subject of taxation.

**Lost—Yeas, 12; Nays, 118.**

The first and second resolutions were adopted, and the House at 6 o'clock adjourned till half-past 7 o'clock.

#### AFTER RECESS

On motion for the consideration and reception of the report of the Committee of Ways and Means.

**Mr. Macfarlane** expressed his desire to take the sense of the House on the third resolution, providing for raising revenue by Dominion stock.

**Mr. Mackenzie** said he might not have said anything on the question now before the House, but for the appeal made by the honourable gentleman last night, to save them from the clutches of the Bank of Montreal. He thought it the duty of every honourable member to save the Minister of Finance from the pit into which he seemed to have fallen. He desired to make a few observations on the general plan of the honourable gentleman (Mr. Rose) for providing for the financial wants of the country. We had in the scheme now before the House the means not of paying off the floating debt, but merely of floating it in a new direction. He thought

[Sir John A. Macdonald (Kingson)]

the fault to be found with the honourable gentleman's scheme was that it was a begging off of the question. If there was one evil greater than another in the financial system, it was that every Minister of Finance endeavoured to float off the debt to his successor. He had no doubt but that a very considerable sum could be raised from a Dominion Stock, but a large amount of this must of necessity be withdrawn from the present circulation of the banks. He would not go so far as to say that it must all be so withdrawn, because while the banks remained stationary the wealth of the country was also increasing, and he thought it would be found rather a dangerous experiment to withdraw so large a sum for the purposes designed by the Minister of Finance. Any debentures floated on the people by these means ought to be tempered to the wants of the commercial community for accommodation. It was the universal testimony of persons in the west that bank accommodation had been insufficient. We found sufficient evidence of that in passing events. Traffic on the western railways had very much decreased of late. He would not say that this was entirely owing to the want of bank accommodation, but it certainly was, in a great measure, attributable to the inability of the banks to afford the accommodation necessary to enable farmers to remove the produce of the country, and to a very considerable extent to the feeling of insecurity prevailing in the public mind owing to bank failures consequent upon the financial policy of the Government. It had been stated that no less than ten millions of dollars were held in Canada, invested in United States Securities. He had no doubt a very considerable amount was so held, but he had no idea that it approached half that sum, and his honourable friend the Finance Minister gave them no reason to believe it was so large. He had no doubt a considerable sum was held in Canada, but merely for speculative purposes, and this could not be said to be invested in American securities. He frankly admitted that the Finance Minister might raise a considerable sum from three sources, as he had reason to believe that many capitalists who had invested in United States securities would much sooner invest in bonds of our own, if equal security and profit were offered. But his honourable friend proposed a double sort of operation. He first creates a Dominion stock and then a certain quantity of exchequer bills. These were usually short date notes drawn by Government as a temporary loan till the taxes of the year came in;



but, as these bills were to run for a period of 10 or 20 years, they might as well receive their proper name, and be called bonds. In addition to the Dominion stock and exchequer bills, the Finance Minister proposed an additional issue of legal tenders, which was to make up the entire sum required for retiring the floating debt now maturing. In addition to these three separate classes of securities, we had in another bill presented by Government the proposal to institute Savings Banks, the entire deposits in which Government intended to seize and appropriate to their own use. He had no doubt security would be ample, but the whole of this amount must be withdrawn from the ordinary circulation of the country to meet the wants of Government, and he could not help thinking that this was more than we could afford at the present time. It was remarkable that the entire resources of the Minister of Finance to provide for the deficiency in the revenue consisted of those to which he had referred, except that Government proposed going into the life insurance business, a very questionable proceeding. It was impossible to properly discuss the financial position of the country without the public returns for 1867, which Government were much to blame for not having before the House. But looking over the accounts which had been presented, he found that the balances stated by the Minister of Finance were really not correct. The public accounts for 1865-66, showed a balance of \$593,000 as in favour of Government, but no credit was given for amounts which had been appropriated from special and trust funds, such as municipal and building funds, etc., where these funds were solvent, the Finance Minister should give credit for these sums, and if that had been done instead of having a balance of \$593,000 it would be exceedingly trifling. An examination of the accounts of 1867, would no doubt show similar results. The Minister of Finance was the more to blame because he had taken credit for a sum of \$335,977 of public debt redeemed during that time. Then coming to the statement for the present year, we were told that the expenditure would be \$16,227,129, and the revenue \$14,457,400; but of this expenditure \$1,125,500 was for capital account, and this properly ought to be charged as an addition to the debt. Now, to apply this to the ordinary transactions of life. Suppose his honourable friend (Mr. Rose) gravely told us that he had an income of \$7,000 a year, and that he spent \$8,000, but that \$2,000 were for repairs to his house, and he had a thousand over after paying his yearly expenses, every-

body would laugh at such a statement, and yet he (Mr. Rose) expected the House to accept one of similar character. There was nearly a million and a half payable for railways, etc., in the Lower Provinces, and \$191,000 was for repairs of public buildings in Ontario and Quebec. This he had no right whatever to charge to the capital account, being part of ordinary expenditure for maintenance of existing works. (At this point Mr. McGee entered the House, and was congratulated on his recovery by Mr. Mackenzie, who continued.) He also thought that the Minister of Finance was mistaken as to the amount of revenue which he expected to derive in the incoming year. He had every reason to believe that the stock in hand was very large, and the demand likely to be very light in the coming spring; and if he (Mr. Rose) had judged of imports from those of last spring, he would find himself considerably disappointed, and instead of having a balance, he would have considerable deficiency. He hoped that the Government would give their earnest consideration to measures which he feared would be required in order to provide for difficulties consequent on the abrogation of the Reciprocity Treaty—the effect of which he would now begin to feel to a greater extent than at first. While he was prepared to give the Government all the support in his power to place the finances of the country in a sound condition, he thought something more was necessary than had been done. He ridiculed the idea of Canada requiring a protective duty of 25c. per bbl. on flour, which tax would be productive of nothing but a little inconvenience to the Lower Provinces. He admitted that the tariff of last session was to some extent retaliatory in character, and thought we were not powerful enough nor rich enough to assume that position towards the States. In conclusion, he hoped when they met after adjournment, the Government would be able to present to the House a statement in detail of the expenditure, so that the financial policy might be discussed with some degree of certainty.

Mr. Sproat thought that when Government proposed measures which would relieve them from the Bank of Montreal they should avail themselves of the proposition. The greatest evil that could befall them was to be indebted to their foes. If Government issued securities they would be enabled from among people of this country to receive a sufficient amount of money to relieve themselves of the Bank of Montreal. He had great pleasure in supporting the Bill.

**Hon. Mr. Rose** said the creation of this Dominion stock would not interfere with the currency of the country, if introduced in a gradual way. There ought not to be an abrupt expansion or an abrupt issue to interfere with ordinary commercial engagements of the country. There were only two ways of getting rid of their floating debt:—One way was to absorb or capitalize it, the other way was to put on such new taxes as would enable Government to pay it off. He did not think they were justified in adopting the latter course, as it was a much better way to absorb and fund it. His honourable friend had asked what amount of Dominion stock they purposed to raise. He must be aware by the statement before the House that there was at the beginning of December \$3,000,000 to the credit of Government in the bank. A considerable portion of that was to go towards reducing the floating debt—\$2,300,000 had to be paid as subsidies to the various Provinces—after making this provision, which falls due on the 1st January, the balance whatever it will be, Government proposes to throw into a fund by the various processes mentioned. Government would consider whether the same amount of security which was given to exchequer bonds could not be given to a smaller class of securities here. They meant to take a way of raising money which was the quickest and easiest. He thanked his friends in the Opposition, particularly the honourable member for Hochelaga, for the forbearance shown him in the discharge of his duty.

**Mr. Anglin** thought it was very unfair to set down as a deficiency of the year what would form part of the debts of the several Provinces. The Minister of Finance should not complain if such statements were made as he set the example, when he charged the Lower Provinces with those very advances he is making on their account. Though he explained why it was done, his explanations were lost on the House.

The resolution was then carried on a division, and the remaining resolutions passed.

#### SUPPLY BILL

**Hon. Mr. Rose** introduced a Supply Bill. It was read a first time and the second reading was ordered for to-morrow.

#### DUTIES ON PROMISSORY NOTES

**Hon. Mr. Rose**—Also Bill to impose duties on Promissory Notes and Bills of Exchange [Mr. Sproat (Bruce North)]

change. It was read a first time, second reading ordered for to-morrow.

#### LOWER PROVINCE BANKS

**Hon. Mr. Rose** also introduced a Bill respecting Banks, and said it gave power to the banks of the Lower Provinces to make advances upon Bills of Lading and Warehouse Receipts.

**Hon. Mr. Holton** did not desire to raise any objections to the introduction of the Bill, but thought it should not be introduced in the absence of a large number of the representatives of the Lower Provinces.

**Hon. Mr. Dorion** thought it was such an important question that it had better be put off until they had more time to discuss it.

**Hon. Mr. Rose** said the present system was unfair to the banks in the Maritime Provinces, as it gave exceptional rights to the banks of Canada.

**Hon. Mr. Dorion** said it would be better to leave the banks of the Lower Provinces without paying the duty of 1 per cent for two or three months, and then there would be no necessity for discussing the larger question.

**Hon. Mr. Tilley** said it was a very important question. The capitalists of Lower Canada have an advantage over the banks of Nova Scotia and New Brunswick, and great disappointment would be felt if this matter was not attended to at the present session.

**Mr. Morris** said that they should take advantage of this opportunity of bringing the subject before the House, and he expressed the hope that at the next session Government would be prepared to come down with a settled policy upon the subject, which was one of vital importance to the whole Dominion.

#### INLAND REVENUE

Upon the third reading of the Bill for raising an inland revenue.

**Hon. Mr. Holton** said there were in this Bill various references to departments and officers which were never created, therefore would be an anachronism to pass a Bill mentioning these departments. The House would like an explanation of the policy of Government in creating those departments.

**Hon. Mr. Cartier** said any measure passed by Parliament dated from their sanction and

all those measures would be decided on the same day; therefore the charge of anachronism would have no weight.

**Hon. Mr. Holton** was opposed to creating some of those new departments, yet this Bill recognized those departments as legally existing. He did not wish to be committed even inferentially on this measure.

**Mr. Blake** said they should not pass a Bill recognizing the existence of a Board which had not been constituted or even proposed to them.

**Hon. Mr. Cartier** said the main reason for wishing the Bill passed was that Mr. Howland's health required him to leave for Toronto. He desired to have an officer of his department accompany him, but that officer could not leave until this Bill was disposed of.

**Hon. Mr. Holton** was sorry to hear the health of the Minister on Inland Revenue was not good, but he could not see what that had to do with the third reading of this Bill.

**Mr. Burton** said one proposition of the Bill—that imposing the same license fee on all brewers, large and small alike—was calculated to do injustice to small brewers. He moved in amendment to the 27th clause reducing the license from \$200 to \$100.

**Mr. Jackson** thought there was no doubt the effect of the licenses would be to close many small breweries throughout the country.

**Hon. Mr. McDougall** defended the clause of the Bill as necessary to prevent fraud, and lessen the expense of collecting the revenue. Public opinion was, he thought, in favour of raising a considerable portion of the revenue of the country from breweries and distilleries, and it was desirable that these businesses should be concentrated as much as possible, so as to be more easily kept under the inspection of excise officers. Fewer of them would be required than if there were small breweries scattered all over the country.

**Mr. Francis Jones** thought it unjust to place small breweries on the same footing as regarded license fee as large brewers, and believed there was just as much honesty in the former as there was in the latter.

**Hon. Mr. Cartier** opposed the amendment in the interest of temperance, as well as in the interest of the revenue.

**Dr. Parker** supported the amendment, because the Bill as it stood would virtually have the effect of confiscating the property of small brewers throughout the country, by driving them out of the business. If brewing was to be concentrated in certain places there would be a large additional expense put upon the manufactured article, because to ordinary charges would have to be added the increased expense of transporting the grain to the brewery, and beer from the brewery to places of consumption. This expense was now saved by small establishments which existed in different parts of the country, and which, he thought, would be kept as much within control as the large establishments. Besides, beer was an article which could not be transported great distances without more or less injury, especially in a climate like ours, and to close up small establishments would therefore be more injurious. He thought the proper way to impose the tax was either upon malt used or beer brewed.

**Hon. Mr. Rose** said although the matter seemed to be a small one, to make the amendment proposed would destroy the whole symmetry of the Bill. It had been prepared with the greatest care and embodied propositions which it was thought were the best that could be proposed with a view to prevent frauds and to obtain as large a revenue at as little expense as possible.

**Mr. Read** spoke in favour of the amendment, maintaining that the revenue could be as readily collected from small as from large breweries, and that it would be unfair so to legislate as to destroy small breweries, and create a few large monopolies.

**Mr. McConkey** said the proposed duties would ruin a majority of breweries in the country, and concentrate the work of brewing to cities and large towns.

**Hon. Mr. Holton** was not in favour of reducing licenses and would vote against the amendment.

**Mr. Thompson (Ontario)** said small breweries created a market for grain, and were entitled to some respect and consideration. The effect of increased license would be to decrease rather than increase the revenue, as a great many breweries would be obliged to stop work.

**Mr. Bodwell** would support the Bill. Small breweries are a source of moral corruption, and should be abolished. Any measure which

would tend to diminish the traffic in intoxicating liquors would receive his support.

**Mr. Ferguson** thought that it was a real grievance that small breweries should have to pay the same license as larger ones. If they are to be crushed out some compensation ought to be given them.

**Mr. Mackenzie** said the amount proposed would not remove the hardship complained of, as it only proposed to reduce license, still leaving small establishments to pay the same as large ones. He thought there should be a graduated scale of licenses. He would therefore move in amendment to the amendment that the Bill be recommitted to consider the 27th clause, with the view of adopting a graduated scale of licences to maltsters.

**Sir John A. Macdonald** hoped his honourable friend would withdraw his amendment. Small establishments cost as much to supervise as large ones; \$250 was not too high even for small breweries, and he did not see why they should be taken under the special favour of the House.

**Mr. Rose** said the Government would not ask any fee from breweries until the present licenses expired.

**Mr. McDonald (Glengarry)**, thought small breweries by producing a comparatively wholesome beverage, prevented the use of stronger liquors.

**Mr. Burton** said he was willing to withdraw the motion for the present with the understanding that Government would reconsider the matter, but he was none the less convinced of the injustice of the Bill as it then stood. He believed members from the rural districts would not submit to the destruction of small breweries.

**Mr. Rymal** said honourable gentlemen had not travelled and lectured on temperance as much as he had, else they would never seek to advance the temperance movement by recommending the brewing and drinking of a great deal of beer—first beer, then rotgut, then forty-rod whiskey. (Laughter). The graduation was easy and natural. He hoped the time would come when Government would bring down a measure doing away with breweries and distilleries altogether, but if they were to be tolerated, he thought a graduated scale of licenses was the most equitable plan.

**Hon. Mr. Carling** said the excise duty on beer was higher in Canada than in any other

[Mr. Bodwell (Oxford South).]

country in the world. In the United States it was a dollar greenback per barrel. Here under the new tariff it was to be something like a dollar eighty cents. Government could have just as much control over the breweries by imposing a license of \$50 as 50 pounds.

**Mr. Currier** would support the amendment of the member for Lambton.

**Mr. Gibbs** spoke in favour of a graduated scale of licenses. He hoped Government would consent to reconsider the matter.

**Hon. Mr. Rose** suggested that the debate be adjourned till to-morrow. In the meantime Government would consider what was best to be done. Agreed to.

### PUBLIC WORKS

**Hon. Mr. McDougall** moved the second reading of the Bill respecting the Public Works of the Dominion of Canada. He explained the changes from the old Public Works Act of Canada which were generally unimportant in their character. One of them was with reference to arbitrations. There would be a board of four arbitrators, one of these would take evidence and hear the case, and if the party was dissatisfied, an appeal might be taken to the whole board, whose decision would be final. Important clauses had been inserted, rendered necessary in consequence of the present state of the law in the Lower Provinces, where parties guilty of negligence on Public Works could not be criminally prosecuted. He had taken the clauses up on this point in the Railway Act and inserted them in this Act, so as to be applicable to all employees on Public Works throughout the Dominion.

**Hon. Mr. Holton** inquired whether the Bill vested in the Public Works Department the railways of the Maritime Provinces?

**Hon. Mr. McDougall**—Yes.

**Hon. Mr. Holton** said a statement of how these important works were administered would be interesting both to the House and to the country. He would also like to be informed whether any remedies existed in the Provinces of Nova Scotia and New Brunswick against Government for accidents of life and limb on these railways.

**Hon. Mr. McDougall** said these railways, which had belonged to the Governments of New Brunswick and Nova Scotia, had, by the Union Act, become the property of the Dominion Government. They were still conduct-

ed by the officers who were found in charge of them, with one or two exceptions; and, so far as he knew, were carried on satisfactorily. It was not proposed in this Bill to lay down any rule with respect to the liability of Government as to damage to limb or property arising out of management of Public Works, he would be inclined to reserve in the hands of the Government the power to do justice according to the facts in each case.

**Mr. Gray**—who had introduced in New Brunswick the law giving parties suffering damage to life or property on the Government railways recourse against the Government in the law courts—contended that that was the correct principle, and that it worked well in practice; he did not think any man who suffered by the negligence of public servants should have to appeal to the commiseration of the Government for redress. He was of opinion that the law he had referred to had ceased to operate since the railways had become the property of the Dominion, and he hoped immediate attention would be given to the matter.

**Dr. Tupper** differed entirely from the member for Saint John on this subject. Juries were always disposed to give excessive damages against Government, and he would prefer leaving Government to deal with all such cases.

**Mr. Mackenzie** said that the discussion showed that the proper mode of dealing with these works was for Government to get rid of them altogether. So long as a Government endeavoured to run railway trains, and to do the ordinary carrying business of a country, they would be subject to vexatious claims. He would like to know if it was the settled policy of Government to continue to do the business of railway carriers. He thought it desirable that there should be a clause in this Bill enabling the Government at the time of giving out contracts, to put them outside arbitration altogether. There was another clause in an existing law which he should like to have seen introduced into this Act, and made applicable to the whole Dominion, a clause prohibiting the sale of public liquors within two miles of any public works in the process of construction.

**Hon. Mr. McDougall** said it would be necessary for Government to retain possession of these railways until the Intercolonial was built and the whole chain of railway communication completed. It would then be time enough to decide what course to take

with respect to them, whether to retain, lease or sell them. His own individual view was, that working railways was not a function of the Government under ordinary circumstances.

**Mr. D. A. McDonald** could see no good reason why these roads should not be leased at once.

**Mr. Anglin** hoped Government would hesitate before committing themselves to any policy other than that of managing these railways themselves. He agreed with the member for Saint John (Mr. Gray) in his view as to the good working of the N. B. law, which gave individuals redress in courts of law against Government for damages sustained on Government railways.

The Bill was then read a second time.

#### THE AUDIT BILL

On motion of **Hon. Mr. Rose**, the Audit Bill was read a third time and passed.

#### INTERCOLONIAL RAILROAD

The House then resumed the adjourned debate on the motion for the second reading of the Intercolonial Railroad Bill.

**Hon. T. D. McGee** rose to congratulate the House and the country upon the approaching realization of the undertaking which had been for nearly twenty years in expectancy, and which in passing from public notice five or six years ago, gave but little hope that it would so shortly afterwards be not only revived, but actually find itself on the eve of accomplishment. He did not confine these congratulations to the Western Provinces, but extended them equally to Nova Scotia, who had originally led the project, and to New Brunswick, who would perhaps profit most by its completion. And the method proposed for its carrying out was also a matter for congratulation, the constitution of the proposed Railway Board, composed it might be hoped not of mere political friends of the Administration, but of gentlemen who understood every detail of railway management, and its responsibility to Parliament furnishing an additional security that the policy of Government was not sectional but national. The question of the route to be chosen was one which must give rise to diversity of opinions, and on which the honourable Minister of Trade and Customs, who had stood by the scheme when so many

other of its advocates failed, would find some of his friends disagreeing with his own ideas. Each one would doubtless desire to see the road passing by his own door, and the honourable member for York could not be wondered at if he approved of its running through his own kitchen garden. He had been sorry, when confined to his room by recent illness, to read that the honourable member had expressed his dissatisfaction with the working of Union, and he thought that six months was scarcely a fair period of trial to allow for so great an experiment. Not thus, in the commencement of the struggle, was won the civic crown granted to the Roman General of old, who after a long and arduous war, was awarded the thanks of the Senate for not having despaired of his country. He hoped that the route would be well considered, and that it might not be said, as on the matter of the customs dues, that we were imposing on New Brunswick here and Nova Scotia there, as if the West was so much in love with high taxation as to desire to inflict it in mere wantonness on herself as on her sisters. He had confidence that the policy of the Government would be one of regard, not for Quebec or for Ontario, for New Brunswick or for Nova Scotia—not for East or West, for clique or corner—but for the whole country of United Canada. He had raised his voice that evening, glad of the opportunity to show that he was not, as had been stated, dead, nor reduced by a process well known in surgery to the condition of a mere "stump" orator. (Laughter.) He would, had it been possible on his side or necessary on theirs, gladly have supported the policy of the Government on the North-Western extension, and entirely endorsed their treatment of the banking question, being qualified to find that they possessed resolution and firmness to avoid the weakness of yielding to the temptation of affording exceptional assistance to the Commercial Bank at a risk of the public funds. He should be glad to see their connection with the Bank of Montreal dissolved as soon as possible, and the Manager of that institution taught to know that in addressing the Administration he was not issuing directions to the Ottawa branch of his establishment. (Hear, hear.) With regard to the customs duties, no one of ordinary intelligence—he would not refer to a gentleman of extraordinary intelligence, not then in his place, whose speech here he had read with pain, as one which should never have been delivered at all, but least of all by him who had uttered it—could imagine that Parlia-

[Mr. McGee (Montreal West)]

ment would rise leaving three different tariffs in existence within the country. Thanking the House and the honourable member for Lambton for their welcome, he reiterated this expression of confidence in the Ministry, regarding all present indications as such as to justify the faith of their friends that the interests of the whole country were safe in their hands, and resumed his seat amid loud and continued applause.

**Hon. Sir John A. Macdonald** had never during the whole course of his Parliamentary career listened with more pleasure to a speech than he had to that of his honourable friend now, not so much because of the very kindly expressions towards himself, but because his honourable friend was again able to take his place in this House (hear, hear.) The honourable gentleman (Mr. McGee) deserved the thanks of the Government and of the people of this country for the public course he had pursued. Not for the sake of popularity, but in the interest of the country, and in pursuance of what he had rightly conceived was his duty as a public man, he had laboured in a manner which entitled him to every consideration at the hands of this House, and of the loyal people of Canada, for his great services, and on behalf of the Government and the House, he had great pleasure in congratulating him on being again able to take his place in the high Councils of the nation. (Applause.) With regard to the Bill before the House, he (Sir John) was pleased to find it had met the general approval of the House. The policy of the Government had been arrived at after mature consideration, and he believed was calculated to serve the best interests of the country. It had been suggested that the road should be built by a company, which should receive a bonus, but the Government felt that no company would undertake such a work except as a matter of profit, and perhaps at the very last moment the company might fail, and leave the Government still to finish the work. It had therefore been resolved that the road should be built by the Government; but in a manner not intimately connected with the Government. The road would be built under the direct supervision of four Commissioners appointed by the Government, for whose conduct the Government would hold itself responsible to the House and the country. The names of these Commissioners would be announced to Parliament at the next meeting, (after adjournment,) and he hoped the Government would select such men as would receive the unanimous sanction of the House. It might perhaps

be objected that the number of Commissioners was too great, but it had been considered that if only three were appointed, the Chairman by playing off one against the other could practically control the work, whereas by the appointment of four it would require the consent of three before any matter could be sanctioned. Though the subject was now under the earnest consideration of the Government, the Commissioners had not yet been named; but they would be men of high character and well up to their work. As he had said, their names would be announced to Parliament, not for the purpose of taking a vote thereon, for their appointment was a prerogative; but to obtain for them that status which the want of objection on the part of Parliament would give them.

**Hon. Mr. Tilley** after briefly expressing his satisfaction at the reception the Bill had met with, and stating his conviction that the work would be proceeded with at once, and completed in three years, proceeded to reply to Mr. Holton's challenge of the previous evening. He entered into the particulars of the negotiations between the MacDonal-Sicotte and Macdonald-Dorion Governments of 1862 and 1863, and the Governments of New Brunswick and Nova Scotia. Mr. Tilley explained that he had not replied to the member for Chateauguay; but that he desired to have the despatches between the Governments.

**Hon. Mr. Holton** said the gravamen of his complaint against his honourable friend was this, that whereas he and Dr. Tupper had come to Quebec, and there met the Executive Council of the day in the Executive Council Chamber, and came to a certain understanding, he (Mr. Tilley) returned to New Brunswick and took up a position entirely at variance with that understanding, and continued to charge the Government of Canada of that day with breach of faith, which he did not venture to urge when he was in Quebec, but quite the contrary, acquiesced to the views then expressed. That honourable gentleman (Mr. Tilley) was then told at Quebec—he (Mr. Holton) told him himself, and he appealed to the member for Cumberland (Dr. Tupper) to bear him out—that the Government considered the Convention of 1862 at an end. He read the despatch of Governor Gordon, to which he had referred on the previous evening, and said it was absurd for Mr. Tilley to pretend, that as a responsible Minister of the Crown, he could escape responsibility as an adviser of His Excellency.

**Hon. Mr. Tilley** repeated that the position always held by the New Brunswick Government was, that the agreement was binding upon the Government of Canada, and said as far as the despatch of the Lieut.-Governor was concerned, it was written and sent with the knowledge of his Council.

**Dr. Tupper** regretted a matter of this kind had arisen, but having come up, he felt it his duty to state frankly the circumstances as he recollected them. When the Minister of Customs accompanied him to Canada, after the negotiations in England, it was assumed in consequence of the changes of the Government in Canada, that the arrangements of 1862 had fallen through, and he was bound to say the Government then used no concealment but acted in an open, frank and ingenuous manner in relation to the position they held in the matter. They did not undertake to resume the obligations of their predecessors in office, but they all agreed that in order to deal with the subject intelligently and satisfactorily, it was necessary to have a survey of road, and they agreed also upon an engineer who should be appointed for that purpose. It was right he (Dr. Tupper) should state that while he was fully authorized by his Government to make final arrangements in the matter, the Minister of Customs had not the same authority from the N.B. Government, and when he returned his colleagues would not approve of what had been done unless the Government of Canada agreed to go further and adopt the propositions of the Quebec Conference. He (Dr. Tupper) must say the Government of Nova Scotia occupied very much the same position as the Government of Canada, and did not regard the result of the Quebec Conference as binding in every respect.

**Hon. Mr. Dorion** thanked the member for Cumberland for his frank, manly, and straightforward statement, and contended it showed that the Canadian Government was not open to the charge of bad faith that had been made against it.

The debate was continued by **Messrs. Tilley, Huntington, Mackenzie, and Fisher**, when,

**Hon. Mr. Dorion** moved an amendment to the effect that the line of route of the Intercolonial Railway should not be finally adopted without the previous consent of the Parliament.

The debate was then adjourned.

The House adjourned at a quarter to two o'clock.





# HOUSE OF COMMONS

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Wednesday, December 18, 1867

The Speaker took the Chair at 3 o'clock.

After routine business,

**Hon. Mr. Holton** suggested that, to expedite business, the notices of motion be passed over, and that the Orders of the Day be at once called. Agreed to.

## EXCISE—QUESTION OF LICENSES

The House then resumed the adjourned debate on the motion of **Hon. Mr. Rose**—That the Bill respecting the Inland Revenue be read a third time, and **Mr. Burton's** amendment thereto, and the amendment of **Mr. Mackenzie** to said amendment.

**Hon. Mr. Rose** said that to meet as far as possible the views of the House he had prepared an amendment fixing a graduated scale of licenses to maltsters, and providing that for the 1st class there should be a license fee not exceeding \$200; for 2nd class, not exceeding \$150, and, for 3rd class, not exceeding \$100.

**Mr. Mackenzie** and **Mr. Burton** severally said that they were not entirely satisfied with this amendment, but in view of it they were willing to withdraw their own amendment.

The bill having been read a third time, **Mr. Rose's** amendment was agreed to.

## DUTY ON TOBACCO

**Mr. Bechard** then moved an amendment, the effect of which was to exempt from excise duty Canadian tobacco, twisted or rolled, when offered for sale, as well as that grown for merely personal consumption.

Negatived: yeas, 20; nays, 104.

**Hon. Mr. Carling** stated that the law would press very heavily on maltsters who had entered into large contracts with brewers for supplying malt. He asked the Finance Minister whether a clause might not be inserted, providing that the law should not apply to existing contracts.

**Hon. Mr. Rose** declined acceding to this proposition, which, he said, would subject the

Government to no end of claims, making it impossible for them to know when the law really would have effect.

The Bill then passed.

## PUBLIC WORKS

On motion of **Hon. Mr. McDougall**, the Bill respecting the Public Works of the Dominion was considered in Committee of the Whole, reported, and ordered to be read a third time at the next sitting of the House.

## UNLAWFUL DRILLING, ETC.

On motion of **Hon. Mr. Cartier**, the Bill to prevent the unlawful training of persons to the use of arms, and the practice of military evolutions or exercises, and to authorize Justices of the Peace to seize and detain arms collected or kept for purposes dangerous to the public peace, was read a second time. He explained that this was an extension to the whole Dominion of an Act in force in the late Province of Canada. Within the last two or three months the Government had been informed that deposits of arms had been made along the frontier on the other side of the line, and that attempts had been made to introduce them in some instances into Canada.

**Mr. Mackenzie** said the Bill gave very extraordinary powers to magistrates. It empowered a magistrate, on evidence, to seize arms, and commit to gaol the person in whose possession they were found. This enabled any officious magistrate to give unnecessary annoyance to loyal subjects, and he knew that in some instances the power had been exercised in a way to cause great hardship. He regretted also that it might be implied from the passage of the Bill that there were disloyal persons in this country. That admission he for one was not prepared to make.

**Hon. Mr. Cartier** said there was a clause in the Bill enabling the Governor-General by proclamation to stop the operation of the law when he found it to be unnecessary. But for the present, the Government were prepared to state on their responsibility that they considered it necessary to continue this law, and to extend it over the whole Dominion.

**Mr. Mackenzie** said after the declaration by the Government he had nothing more to say.

**Hon. Mr. Anglin** said when he read this Bill, he felt shocked that Government should have considered such a measure necessary. It would create the impression abroad that we had here a large number of disaffected people. He objected strongly to authorizing Justices of the Peace to commit to prison, on suspicion, any man found to have in his possession a rifle or pistol. In times of excitement a very bad and oppressive use might be made of such a provision. The clause against military training, also, he thought very singular in a country where the whole male population was expected to be trained to the use of arms. If such a measure was required at all, he thought provision should be made for parties getting licenses to carry arms. Any good and loyal citizen could then if vexatiously interfered with by a magistrate show his license.

**Sir John A. Macdonald** did not think this Bill would convey the impression that we were a nation of traitors, any more than our laws against murder and larceny would convey the impression that we were a nation of murderers or thieves. The people of Canada were no doubt loyal and true to their Sovereign, but there were amongst them persons who are disloyal and untrue to their sovereign. He thought there was nothing harsh, improper, or unusual in the provisions of this Bill. An ignorant or over zealous magistrate might no doubt abuse the power given him, but a similar objection might be brought against any law. The member for Gloucester objected to the clause against unlawful training to the use of arms in a country where every man was expected to have a military training. It was for that very reason that the clause was necessary. When any number of persons applied to the Government for permission to form themselves into a drill association, that permission was always given; and when persons assembled secretly for drill without obtaining such permission, the inference was conclusive that they were organizing themselves with an unlawful object in view. As the law formerly stood, the Government had no power to seize arms. Some time ago, in Toronto, a large depository of pike heads was discovered ready to be fastened to pike staves deposited in another place. The person in whose possession they were found had since gone to the States, and was a leading man in the Fenian body; but the

[Mr. Cartier (Montreal East)]

Government on that occasion were not authorized by any law to seize those arms which they were morally certain were collected for a treasonable purpose.

**Hon. T. D. McGee** agreed with the Hon. Premier, that there was no danger to be feared from any portion of our Canadian fellow-subjects, believing that the people as a whole, irrespective of creed or nationality, were sincerely and loyally attached—in the best sense of the words loyalty and sincerity—to the institutions under which they lived, and with which indeed no one of them could find it possibly to be reasonably dissatisfied. He would, however, express his strong conviction—though with no desire to use alarmist language—that we were about entering upon a critical period, and that the next six months would prove the most critical period that Canada had ever experienced, to which assertion he feared that the Ministry would ere long receive from all sides ample concurrent testimony. The year 1868 would be the Presidential year—one of the leap years of Democracy—which would find the Executive power in commission—a commission both in the urban population, both of the Atlantic seaboard and of the Lakes, to be held by large seething masses of the communities, worked up to a reckless pitch of excitement by the course of recent events in England. The language being used at this moment by the Fenian press went to urge the leaders in America to emulation of the devoted men, who in their own phrase, were not afraid on the other side of the ocean to take their lives in their hands and to die in the heart of the enemy's country; and taunted the inglorious inaction of the recipients of so much confidence and contribution. In connection with these manifestations we had information that the two wings of the Fenian body which had been separated for the past three years had coalesced in New York within the last day or two. He repeated that he did not speak as an alarmist, but because he was sensible of the danger of an undue security, and had his views as to the possible events of the next half year corroborated by the expressed opinion of friends in the United States, enemies like himself to Fenianism although not actuated to that hostility as he was by the same Canadian sentiment. He should have been glad if this necessary power had been placed in the hands of Ministers by unanimous consent of the House and without any protest having been raised, on the under-

standing that the Administration would render a proper account of its exercise for which they were of course responsible. (Hear, hear.)

**Hon. Mr. Anglin** desired merely to say that having heard the explanations of the Government and their explicit declaration of the necessity for this Bill, he had no desire to throw any obstacle in the way of its passage. He desired to give the Government every necessary power to preserve the peace of the country.

The Bill was then read a second time.

After the Recess,

On the motion for the third reading of the Public Works Bill.

**Mr. Sproat** took exception to the 23rd clause, which, he considered, placed engineers who had passed no examination in this country on a par or above surveyors who had to spend much time and money in preparing themselves for their profession.

**Hon. Mr. McDougall** said that this clause was merely to enable a survey made by an engineer to be accepted without being repeated by a surveyor.

**Mr. Sproat** moved to strike out the clause.

**Mr. Mackenzie** asked if this was a want of confidence motion. (Laughter).

No seconder appeared, and the Bill was read a third time and passed.

### INTERCOLONIAL RAILWAY

The debate was then resumed on the Intercolonial Railway Bill, and **Mr. Dorion's** amendment to refer the question of route to Parliament before adoption.

**Hon. Mr. Dorion** said this was a work of great importance, and he thought it would be the first time that such a Bill would pass without Parliament sanctioning the line. The object of the motion was not to bind the House to a route, but merely to obtain the assent of Parliament before it was adopted. In England a selection might be made which would be as unfortunate as that of Ottawa for the Parliament buildings.

**Sir J. A. Macdonald** thought it must be admitted that no time was to be lost. The Union Act must be carried out immediately in order to secure the Imperial guarantee. Until the railway was finished, the Union was exceedingly imperfect, and if the work was

not commenced at once we might give up the idea of beginning till 1869. Government had no interest in selecting the line except that it should be for the benefit of the whole country, and if it were left to them, much of the work might be done before the House met again.

**Mr. Mackenzie** thought it rather a remarkable theory to say that because gentlemen opposite were supposed to have a special interest in the selection of the route, Parliament should not express any opinion on the subject. They were met here for the special purpose of determining what might be best for the public good. He considered it of the highest importance that in a matter involving such large expenditure, Parliament should be consulted on the serious step to be taken, namely, the selection of route. The only argument of the Minister of Justice for haste was the bargain made with the Lower Provinces that no time should be lost in the construction of the road, but an injudicious selection of route might cause more delay in finishing the road than if the question were submitted to Parliament at the outset. His impression was that it would be better for Government to spend the whole of the coming summer in obtaining thorough survey routes than to decide with the information now in their possession to come to an immediate decision, as the Government evidently intended, might lead to most disastrous consequences.

**Dr. Parker** concurred in the remarks of the member for Lambton. He (Dr. Parker) would vote against the railway altogether but that it was made a condition of union. It was said that the Government had no interests to serve but those of the people, but we had warning in the expensive errors in the construction of Public Works in the past. He thought the experience acquired might enable the House, if the matter were properly considered, to arrive at a safe plan on which this work might be undertaken. The railway was to be built with the people's money, and their representatives should have some control over the work. He objected to the Bill because it created a double power, partly in the Commissioners and partly in the Government, without any direct responsibility to the House. He also thought the Government would be quite as much open to the charge of acting from political motives in carrying out the work as if they were doing it directly

themselves, and as to saving by issuing small contracts, the object was profit with both large and small contractors.

**Hon. Mr. Cartier** advised any one hostile to the building of the Intercolonial to vote for the motion of the member for Hochelaga. He contended that the course proposed by Government was that rendered necessary by the Union Act, in order to secure the Imperial guarantee. If the selection of route were left to the Canadian Parliament, they would have the final approval and not the Imperial Parliament, as was provided. It was obvious, he thought, that in selecting a route, Government could have no other object than to select that which should afford the best means of communication between the Provinces, and at the same time prove most valuable as a means of defence. Referring to the allusion to the selection of Ottawa as the seat of Government, he said that the question was left to Her Majesty because it could not be settled here, and he believed after Montreal, Ottawa was the best place.

**Hon. Mr. Gray** said there were two principles involved which lay at the root of this discussion; the 1st was the adoption and carrying out of a public work immediately under the control of Government and managed by them. Second the mode of its construction by commissioners. When honourable gentlemen on the floor of the House laid down the principle that Government should take no part in works of this kind, they were looking back to a period entirely antecedent to the present day. When a matter is merely of a commercial character, it should be left to private enterprise, but if it partakes of a national character, it should be managed by the Government. If you look at the history of the world at the present day, you will see that railways have in a degree superseded the ordinary highways of the country for travelling and traffic. Highways are under the control of the Government without being under the control of individuals, and now when railways were superseding them, the Government should exercise greater control over them than they now do. In England it is a matter of serious consideration whether their railways should not be entirely under the Government control. In Belgium, railways are under the control of and are managed by the Government. In no country in the world is railway travelling cheaper or managed more methodically than in that country. There were few difficulties occurring there owing to the irregularity of trains, because they were

[Dr. Parker (Wellington Centre).]

managed by railway officials appointed by the Government and liable to immediate removal. This Intercolonial Railway affected our national prosperity, and it was important to the country that the Legislature, through constitutional means, should have direct control over it. It was not a constitutional mode to have control of public works by submitting them to the decision of the Legislature, but to submit them to those appointed to deal with them, and who if they did not manage the affairs of country property were accountable to the House. The amendments struck at the very root of the Constitution in relieving the Government from that duty. He referred to the railway in New Brunswick, as an example, of an efficiently managed railway under Government control. If the Intercolonial was built and managed by Commissioners, the Government would be responsible for their act. He referred to the necessity of giving a committee of the House the privileges of a judicial tribunal, in order to investigate matters connected with railways. On this Committee they could have members from both sides of the House who would impartially investigate everything that had taken place in connection with that work, and they could pass their censure upon any act they deemed worthy of it, the Government being responsible to the House for those acts. He felt a deep interest in the success of the work, but did not believe it would yield any immediate commercial return, and for half a dozen years it might entail a charge upon the revenue of the country. Yet the gradual increase of our resources, the expansion of trade and encouragement given to settle the country would yield a return which would benefit the country at large. He referred to different routes, and said whichever route was taken, Halifax and Saint John had certain advantages of which they could not be deprived, and in conclusion recommended the adoption of a Bill to allow individuals to apply to the courts of law to get redress from the Government for injuries sustained through their means.

**Mr. Dunkin** held that the best mode of constructing the road was by making it a Government work. That being so, the appointment of Commissioners seemed to him to be the most expeditious and intelligent way of carrying it out. These Commissioners would be servants of the public and officers of Government which would be responsible to Parliament for their acts. If they did wrong they could be removed, and if they did wrong with the consent of Government, this House

could censure the Government. He was sorry there had been so much reliance on the part of the Government in regard to the route to be chosen, but he recognized the fact that there were political reasons for the course they had taken. He looked upon the insertion of the proposed amendment in the Act, and sending it to the Imperial Government as tantamount to passing no act at all, because it submitted no line for the approval of the Secretary of State for the Colonies, and reserved for the final sanction of the House that which had finally to be approved of by the Imperial Government.

**Hon. Mr. Holton** enquired whether he correctly understood the Minister of Justice to say Government intended without further survey to make a selection of route before the next meeting of the House, and submit it for the approval of the Imperial Government.

**Sir John A. Macdonald** replied that Government did not say they would be bound to settle the route upon the evidence now before them and the country, namely the surveys and reports of Major Robinson and Sandford Fleming. They would consider that evidence, but before deciding they might find it necessary to have further surveys and further evidence. They desired, however, that the great work should be commenced as speedily as possible during the ensuing Spring, and considering all the interests involved, Government did not think they were asking too much in asking to be allowed to have power in this matter. He thought the consequence of the question of a route being referred back to Parliament, would simply be to make this House the arena for fighting the battle between the local and conflicting interests of the two sections of New Brunswick.

**Hon. Mr. Holton** thought this explicit statement of the Minister of Justice disposed at once of the whole argument founded on alleged delay that would flow from the passage of the motion of the member for Hochelaga. The Government, it appeared, would require further surveys before recommending the route, and they all knew that it could not be done this winter.

**Sir John A. Macdonald** said he had not said that. What he did say was that the Government might decide on the evidence already before them, but they might think proper to have further evidence and further surveys.

**Hon. Mr. Holton** would venture to say that preliminary point whether they should have

more evidence or not before coming to a decision, ought to have been settled before this time. He did not deny the necessity of passing a Bill before six months, but it ought to have been submitted to Parliament immediately after the address in reply to the speech from the Throne was disposed of. The House was prepared to pass in accordance with the provision of the Union Act and the Guarantee Act, but it was not prepared to pass a Bill which would deprive the people of this country of all voice in the selection of a route for the Railway which, at very best in his judgment, would cost thirty millions, and at worst forty million—the difference between the cost of the best line, and the cost of the worst; and he very much feared the worst would be selected if the House were deprived of all voice in the matter. This would cause additional outlay to nearly the sum guaranteed by the Imperial Government, thus depriving that guarantee of all practical benefit to this country. No one supposed we would not pay all obligations incurred, or that the guarantee would throw any expense on the Imperial Government. Were we then for the purpose of saving a portion of the interest on the sum required to pay for the work, to be committed to an expenditure which, unless we were fettered by this guarantee, we would not incur that. That was the dilemma into which the Government would lead us. He went on to argue at some length that the selection of the line, involving as it did an enormous amount of money, ought to be left wholly in the hands of the House. If power were given to the Government, and they acted wrongly, the House it was true could censure them, but it could not repair the injustice they might do.

**Hon. Mr. Anglin** said the line must be selected by some one, and submitted to the Imperial authority; and he thought it would be mainly in the Government to select the route and submit it to this House. Looking at the question from a practical point of view, he could see no objection to the amendment. He denied that it was peculiarly a New Brunswick question, arguing that Quebec was deeply interested in Major Robinson's line; and he believed if the members of the House were frankly asked their opinion, there would be a very large majority in favour of that line. (Hear, hear.) Halifax was the objective point and pursuing that line, there were advantages which the other lines did not present. In a military point of view it had no rival, but such a consideration was of value only to the Provinces of Ontario and Quebec,

the protection of the Lower Provinces requiring no such assistance. The surveys already procured proved that the Central route was one which should not be chosen, if any other could be made available. The Northern line could be worked at the least expense, and the population of the district through which it would pass would furnish more available useful labour than any other. It would traverse a great extent of fertile country, it being a mistake to suppose that it adhered altogether to the coast, and encountered a maximum grade through eight miles only of over 50 feet to the mile, while Mr. Fleming's route was to be carried over great rivers of expensive viaducts, with grades varying from 34 to 70 feet to the mile at an undulating level, reaching some points to a height of 1,000, 1100, and as much as 1478 feet above the sea, descending at no great distance to less than 500 feet. He proceeded to trace Mr. Fleming's line through its innumerable difficulties of bridging, grading, and level, pointing out that, in 160 miles of its 360, its incline was over 50 feet to the mile; and to compare it disadvantageously with the comparatively easy route recommended by Major Robinson, the cost of which, taken at its highest possible estimate, would including its 15 miles of extra length, be actually considerably less than the, in every way, inferior Central track through the heart of a howling wilderness, while it would traverse some of the most productive tracts of the whole Dominion. Whether then viewed from a military or commercial point of regard, there could be no question as to the comparative merits of the two routes proposed. He passed over the frontier line altogether, because the Imperial Government had declared that they would give no guarantee for its constructive cost, as being liable to interruption at any moment in the event of war with the United States. Upon such a subject he might in a New Brunswick Legislature express himself somewhat differently but standing where he did, could only take into account the general interests of the entire established Confederation, and not those of the county which he represented, or the city where he resided, which might derive greater local benefit from the adoption of another channel. If the adoption of the Northern line was made a cardinal point of the policy of the Government he should accord them as large a support as he could conscientiously give to any Administration. (Hear, hear.) He was entirely in support of constructing the road under the supervision of a commission

[Mr. Anglin (Gloucester).]

in whose selection he hoped that properly qualified men would be chosen, who would be held to a strict account for the expenditure they should authorize. He elicited from the Hon. Mr. Cartier that the question as to whether the Commissioners should be allowed to sit in the House would be answered when the Government introduced their Bill affecting the independence of members, and that the salary of the Chief Commissioner had not been yet considered.

**Mr. Bolton** replied in a speech of great length, using the superiority of the route through the St. John Valley in a commercial point of view, and asked whether the peaceful interest which it would serve were to be set aside, from regard to a contingency of war which might never happen, and denied that the Imperial Government would refuse consent to the line he advocated.

Effort had been made on both sides of the House to obtain an adjournment, it being then nearly one o'clock, or to eliminate from the debate discussion as to the comparative merits of different routes which the Speaker held to be irregular, and only to be proceeded with by the indulgence of the House. The House manifested impatience in a very marked manner during the speeches of Mr. Bolton and Mr. MacMillan.

**Hon. Mr. McMillan** said he would rather not address the House at this hour, as from the extraordinary speech just now delivered by his honourable friend from Charlotte, he desired to go into this question at greater length than he could at 2 o'clock in the morning. (Go on, go on.) His honourable friend has made sweeping charges and statements which he cannot sustain by facts—he states that the north is bleak and barren, and unfit for settlement; will you not be surprised when I tell you that my honourable friend never had his feet in any one of the northern counties, and never had a sight of the north, even at a distance. I do not desire to say anything disparagingly of my honourable friend's county, but I will tell you how high its fertility has been estimated, by one well able to judge, and who represented the adjoining county in the House of Assembly of New Brunswick. We were on one occasion discussing this very question of railway, we had two routes under consideration. An honourable member, who represented the County of York, in speaking of the soil through which the direct line would pass through the County of Charlotte, stated that if a "blue jay" had to make a journey

through that County it would have to take its provision with it. (Laughter.) He held in his hand "Perley's hand-book", which speaks of the soil in the various parts of the Province, and he showed that the soil in the County of Restigouche was unsurpassed, and that this was the first time the point was disputed, and that, too, by a gentleman who never was there. He then went on to show that commercially both the Central and Frontier routes would be most disastrous. To sustain this position he quoted from Mr. Fleming's report to show the population on each route, and showed that both of these routes would have to compete with the River St. John, the Western Extension Railway and all the branches connected therewith, also with the Bangor Line, which from Montreal to Saint John is over forty miles shorter than either the Frontier or Central lines, as well as with the Portland Railway, which is two hundred and eighty-six miles nearer to Montreal than either of these lines are to Saint John. When the through and local traffic is divided among all these competing lines, the Intercolonial will get very little to do. He showed the commercial advantages of the Major Robinson route in passing through a country not yet opened up by railway, with the immense fisheries in the Bay de Chaleur, and undeveloped resources and wealth, and with no other line to compete with in freight or passenger traffic. He showed that the Major Robinson route would pass through counties in the Province of Quebec, which have eight million acres of ungranted Crown Lands, and in the Province of New Brunswick with four and a half million Crown Lands, the fertility of which land he showed by various official reports, while the Central or Frontier route would pass through counties in New Brunswick with only two and one half million acres Crown Lands, and the quantity through which it would pass in Quebec would be but very limited. He then went on to show the nature of the country through which the Central line would pass. Mountains two thousand feet high, and gulches so deep that the sun seldom shone upon them—and this is the country the friends of the Central line are going to settle and colonize. He said that Major Robinson, with a large staff, tried for over two years to find a passage through this range of mountains, and failed; that Mr. Fleming, after a few months exploration, reported on a line, the grades of which condemned it; that for sixty-seven and one-half miles the grades were from sixty to seventy

feet per mile. (Hear, hear.) He said that an engine of sufficient power to convey one hundred and forty-four tons with forty feet grade, was only capable of conveying thirty-four tons with grades of one foot in fifty, and that a line with such grades as Mr. Fleming reported, would be useless for heavy freights. (Hear, hear.) He then spoke of the easy grades on the Major Robinson route, which he showed to be very favourable. He then went on to show the cost of the two lines, complained of the manner Mr. Fleming computed the cost of the Major Robinson route, that he based his calculation of the cost of the whole route by the cost of the seventy miles in the Matapedia district, the most formidable and expensive of the whole line, and that in addition to that he added ten per cent to the cost. If he applied the same rule to the Central line, and calculated the cost of it by the most expensive seventy miles, he would be content, but he neither did that nor added the ten percent. He said that as to the national advantages, and as means of defence, the lines spoken of would not bear a comparison; that the advocates of the Frontier and Central routes themselves admitted this, and could not define their line either on national or military grounds, which to this Dominion is of paramount importance, and of the gravest consideration. He approved of the manner the Government was dealing with this subject. He said that a great national highway to the sea should be under the control of the Government, and not under the control of a Company, that he had every confidence in the Government, and was satisfied that they would meet and carry out the views of the people's representatives, which have already been so unmistakably given in favour of the Major Robinson route, that two-thirds of the House were in its favour, and he did not believe that there were ten votes in favour of the Frontier. He repeated his confidence in the Government, said they would only have one object in view, the interest of the Dominion, and in carrying out the wishes of the people as expressed through their representatives.

**Hon. Mr. Fisher** rose amidst loud cries of "question", "question." He said he had stayed in Ottawa for the sole purpose of speaking on this question, but at this hour he did not anticipate a hearing from the House. He hoped the debate would be adjourned till to-morrow.

**Sir John A. Macdonald** suggested that the Bill should be passed through committee to-

night, and the debate could be resumed on the question of concurrence to-morrow.

The House then divided on Mr. Dorion's amendment. Lost—Yeas 35; nays 83.

**YEAS**—Bechard, Bodwell, Bourassa, Bowman, Cheval, Connell, Coupal, Croke, Dorion, Fisher, Fortier, Geoffrion, Holton, Kempt, Kierzkowski, Macfarlane, Mackenzie, Magill, McLachlan, Mills, Morison (Victoria), Oliver, Parker, Ray, Redford, Rymal, Savary, Sproat, Stirton, Sylvain, Thompson (Haldimand), Thompson (Ontario), Tremblay, Wells and Young—35.

**NAYS**—Abbott, Ault, Beatty, Bellerose, Benoit, Bertrand, Blanchett, Bolton, Bodwell, Brown, Brousseau, Burpee, Burton, Caron, Cartier, Cartwright, Cayley, Chamberlin, Cimon, Crawford (Brockville), Crawford (Leeds), Desaulnier, Dobbie, Drew, Dufresne, Ferguson, Ferris, Fortier, Gaucher, Gaudet, Gendron, Gibbs, Grant, Gray, Grover, Harrison, Huot, Jordon, Jackson, Johnson, Jones (Leeds and Grenville), Keeler, Kirkpatrick,

Langevin, Lapum, Little, McDonald (Glen-garry), Macdonald, Sir J. A., McDonald (Middlesex), Masson (Soulanges), Masson (Terrebonne), McCallum, McCarthy, McDougall, McGee, McGreevey, McMillan (Restigouche), McMillan (Vaudreuil), Morris, Morrison (Niagara), Munroe, Perry, Pinsonneault, Pope, Poulliot, Pozer, Rankin, Renaud, Robitaille, Rose, Ross (Dundas), Ross (Prince Edward), Simard, Simpson, Stephenson, Street, Tilley, Tupper, Wallace, Walsh, Webb, Wilson and Wright—total 83.

The Bill was then passed through committee and ordered to be read a 3rd time to-morrow.

#### SUPPLY AND STAMP BILLS

On motion of Hon. Mr. Rose, the supply Bill and stamp Bill were read a second time and ordered to be read a third time to-morrow.

The House adjourned at 20 minutes to two o'clock.

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[Sir John A. Macdonald (Kingston).]



## HOUSE OF COMMONS

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**Thursday, December 19, 1867**

The Speaker took the Chair at 3 o'clock.

### **ATTEMPT TO GET MORE PAY**

The House sat for nearly an hour with closed doors. The subject of discussion it is understood being whether Parliament should prorogue or adjourn. A considerable number of members were in favour of prorogation, which would allow a full sessional allowance of \$600 for this part of the session instead of merely \$6 a day. The Government, it is understood, firmly resisted the proposition, and it fell to the ground.

### **INTERCOLONIAL RAILWAY**

The doors having been opened, and routine business disposed of,

**Sir John A. Macdonald** moved the third reading of the Intercolonial Railway Bill.

**Mr. Fortin**—The subject now before the House is most important to this Dominion, and it involves also one of the most difficult questions to solve with a due regard to the general interests involved. It is important, because the building of the Intercolonial Railway will entail an expenditure of some twenty millions of dollars; and difficult because on the selection of a route the future utility of such an expenditure must in great measure depend. The security of the work in a military point of view is closely interwoven with considerations affecting even our national existence. Difficulties of a minor character enter into this choice of a line. Local interests and private views, no less than sectional influences and individual opinions, must necessarily become mixed up with the general question. That these should in some sense endeavour to influence or mislead public opinion both in England and in this country is to be expected. But the whole question must be dealt with in a broader sense. It must be a measure of policy, of necessity, and defence for the whole Dominion. The country regards it as the crowning act of Union.

Without it Confederation cannot be considered an accomplished fact. It is not only to form means of communication between the different parts of our country, but to unite the people, and thus form a complete whole of these Provinces. This road will have another and still greater advantage—and this is the principal point of view from which the question should be considered—it will, during the winter months, unite together the remotest parts of our country, and will for months of the year be the only means of communication with the Mother Country.

The route chosen must above all be a strategic and military one, for the transport of troops for military operations. This being admitted it requires to be safe from attack, and consequently as remote as possible from the frontier to avoid danger from its communication being interrupted, a delay of only a few days being of the utmost importance. The subject of an Intercolonial Railway had already attracted the attention of the various Provinces, and many attempts were made to secure its construction, but without practical result, until the Imperial Government instructed Major Robinson to make a survey of the country through which the road should pass. That distinguished officer after an elaborate survey which lasted three years, reported that only one line was possible, and it is now known as Major Robinson's Line.

In 1864 the Canadian Government employed Mr. Fleming to make a new survey, and he explored what is called the Central Line and the Southern or Frontier Line, making altogether three routes proposed for the railway.

The Frontier Line starting from Rivière du Loup passes by Temiscouata Lake until it reaches the St. John River at a place called Little Falls; thence following the banks of the St. John River to Woodstock, where it touches the railway from Woodstock to St. Andrews. Although this appears to be the shortest route to the sea by way of St. Andrews, it is inadmissible as a strategic and military route, by reason of its following the United States frontier for more than one half of its length.

The second line starting from Rivière du Loup crosses Abaiviscaoli River, touches Fredericton, running easterly to coal mines and thence to the St. John and Shediac Railway at Apohaqui Station. In a space of 120 miles this line runs within 20 miles of the United States frontier, whilst it leaves to the eastward nearly 200 miles of country comprised in the Provinces of New Brunswick and Quebec. It does not in my opinion deserve the name of Central, which is given to it, and would besides be subject to serious objections on account of its proximity to the frontier. In the settled part of the country it would be exposed to attacks, and the blowing up of some of the large bridges in the unsettled part would render the whole line useless. Besides the scarcity of timber will be a great objection to the building of the requisite bridges. One of these will require to be at least 1,000 feet in length; and where are the labourers to be found to do this work? Not along that part of the line, for the country is a wilderness and unfit for settlement. It is evident that in case of war with our neighbours this line could not be relied upon, and would be a mere waste of money.

Let us see, however, if this line would give us a route free at all times from obstacles. I need not go over a new description of the country which is traversed by chains of mountains reaching a height of 2,000 feet, forming numerous and enormous slopes. At each snow storm the valleys would fill up and render communication impossible. And how many men and how many days would it take to clear away these accumulations of snow? Imagine the trains being stopped between Halifax and the interior; and more than that, fancy them being stopped with troops on board. To what miseries will they not be exposed in a wholly unsettled country. This line has therefore nothing to commend it as a strategic and military route.

I have now to examine Major Robinson's line. Starting from Rivière du Loup it runs to Trois Pistoles, thence to Neigette, and follows up the Matapedia Valley to Restigouche, and after running along the river strikes New Brunswick at a distance of about 187 miles from Rivière du Loup. Following the right bank of the Restigouche River for 12 miles, it touches Dalhousie and crosses the Nipissiguit River. From thence running in a south-westerly direction it crosses Miramichi River, touches Moncton, near the Petitcodiac, and thence into Nova Scotia, joining the Halifax Railway to Truro. Let us examine if this line answers the purposes of a military and strategic route. At Rivière du Loup it is 30 miles distant from the United States frontier, at Trois Pistoles 45 miles, at Matapedia 72 miles, and in New Brunswick the nearest point is Indiantown, which is still 97 miles distant from the frontier. Major Robinson's route therefore answers admirably the requirements of a military route, by reason of its distance from the United States frontier, and protected as it is from attack by the difficulty of approaching it through a mountainous and thickly wooded country.

Would this route, however, answer the other requirements of a military route, and be open during the whole year, and above all during winter? I unhesitatingly say yes, and the more so since I have travelled over the greater part of this route. This line will pass through a comparatively level country, and where observation has shown that snow storms are of less frequent occurrence, and even should these occur labourers will be found at hand to remove the obstructions.

The better to understand the difficulties of building both lines I will read from Mr Fleming's and Major Robinson's reports, to show that whilst Major Robinson's route is very easy to build, it is almost impossible to overcome the disadvantages of the Central route.

Extract from Mr. Fleming's report, showing the grades and slopes of No. 6 Central Line:

Level miles	Under 20 feet per mile	From 20 to 30 feet per mile	From 30 to 40 feet per mile	From 40 to 50 feet per mile	From 50 to 60 feet per mile	From 60 to 70 feet per mile	70 feet per mile
3	13.00	0.30	2.50	1.90	3.80		
5	30.60	15.10	9.60	8.70	7.30	3.20	3.20
0.80	9.00	5.30	1.80	2.00	1.00	1.10	11.30
6.50	6.20	3.50	7.00	2.20	5.50	13.50	5.60
8.30	15.00	2.80	9.60	3.80	3.70	6.80	1.00
16.60	21.40	9.10	3.80	1.70	1.00	8.00	
8.10	3.50	1.10		3.00	5.50	5.10	
3.40	1.50	2.30	2.40	1.70	11.60	8.70	
51.70	100.30	39.50	36.70	25.00	39.40	46.40	21.10

[Mr. Fortin (Gaspé)]

Extract from Major Robinson's report showing the grades and slopes of his survey from Quebec to Halifax, according to Capt. Henderson, Royal Engineers:

Level and less than 20 feet per mile	From 20 to 40 feet per mile	From 40 to 50 feet per mile	From 60 to 70 feet per mile	70 feet per mile
439 miles	150 miles	23 miles	4 miles	None

These statements will show at a glance the superiority of the Robinson line over the Central. For the first 365 miles the grade is under 70, only 4 miles of 60 to 70, and 19 miles from 50 to 60, whilst Mr. Fleming's survey crosses on a length of 360, 10 miles, 21,00 miles, grade of 75 feet per mile; 46,40 of 60 to 70 feet, and 39,40 miles of 30 to 60.

However important are the above considerations, it must not be lost sight of that there are some others equally important, namely the interests of commerce and colonization, and the fisheries. Let us examine how these different interests can be better promoted by the various lines. First, the Frontier route being the shortest to the sea, could in time of peace be more useful to the trade during winter, than the others, should the American authorities devise any obstacles to the transit of goods, which we import via New York, Boston and Portland. But as the closing of these ports and the restrictions imposed on our trade with the United States would undoubtedly be attended with further hostilities, this route would then become useless, as above stated. No merchant from Ontario or Quebec would think of using it so long as the United States routes are open to him, and if war compelled him to adopt the Frontier route, it would become useless, as single bands can take and destroy it. It would be of some advantage to colonization, as it passes through a partly settled, or cultivable, country along Lake Temiscouata and River St. John; but for the development of our fisheries, it would be of no use whatever.

Then comes the Central route. For general benefit it is less advantageous than the Frontier route, being longer, and as to its advantages to the trade they would be nil, as it passes through an unsettled and barren country. The same as regards colonization.

Major Robinson's route is shorter than No. 6 Central by 13 miles, and No. 5 by 34 miles, and even shorter than the Frontier by 24 miles. And Halifax being the port which must connect us with Rivière du Loup, it follows that Major Robinson's line meets all the in-

tentions of the proposed Bill. The distance between Rivière du Loup and Saint John is a little shorter by the Central than by Major Robinson's route; but as a railway would be of use only in case the United States authorities should close theirs, or during a war, and as a matter of security products would be then sent to Halifax, it follows that Major Robinson's line would then be still more advantageous. In a commercial point of view, its advantages more than equal those of the Frontier route, whilst they are far superior to the Central; the land on each side being in great part settled, and for a distance of 15,20 and 30 miles on each side the soil is fertile and fit for culture. This will be a great source of support to this road, besides the passenger traffic. Settlements will be formed as on the line from Quebec to Rivière du Loup, and everybody is aware of the large freight and passenger traffic done by this road. As a colonization road Major Robinson's route offers immense advantages to Canada. The Peninsula of Gaspé is larger than several European Kingdoms, and could keep and maintain half a million of souls, if it was all settled. But it is almost a desert for want of means of communication. On the St. Lawrence, from Ste. Anne des Monts to Fox River on an extent of country of more than 1,200 miles there are no highways, even no footpaths, and travelling has to be done along the beach. The mail to Gaspé is carried in this manner by the courier once a week. Everyone will understand how difficult and irregular this service must be during the winter. I hope, therefore, that the Government will see the necessity of opening this route, which is to be of such importance to the colonization, agriculture, and fisheries of this part of the country. The selection of Major Robinson's route is equally advantageous to New Brunswick as to Canada, as so ably shown by the honourable members for the Counties of Gloucester and Restigouche.

I now come to the benefits to be derived by our fisheries from the building of an Inter-colonial Railway. The Frontier route would pass at a distance of not less than 100 to 200

miles from the Gulf. The Central Lines, although nearer by some 30 miles, would be almost as useless. Major Robinson's Line passing at a distance of about 8 miles from Father Point, could easily be connected with this locality, so important to the navigation of the St. Lawrence. The products of the fisheries of Restigouche could be collected there, and from thence shipped to Canadian and Western markets. It touches also at Campbellton, Dalhousie, and connects with Nipissiguit and Miramichi Rivers. These rivers abound with salmon, and with Major Robinson's line it will become easy to export them fresh to the different cities of the Dominion and to the United States. Now these have to be pickled, or put in tins, thereby losing their value, and consequently, for want of communication with the great centres, these fisheries could not attain the same development as if there was an outlet for their products. However, if our fluvial fisheries will benefit by the selection of Major Robinson's route, what shall I say of our inexhaustible maritime fisheries, with means of communication, which will enable us to send our products to all parts of this continent? We are now indebted to the United States for our supply of fresh sea fish, for which we pay high prices. Why not throw the scale on our side? Would it not be a patriotic and national idea? Dalhousie is only two miles from Baie des Chaleurs; and I am not afraid to say that at the mouth of this Bay, on the neighbouring coast to Cape Gaspé on the coast of New Brunswick, and on the bank of Miscou are the finest cod fishing banks in the world. Miscou bank may be compared to the banks of Newfoundland by reason of the large quantity of fish congregating there; and although smaller than the banks of Newfoundland, the quantity of codfish caught there every year is enormous. The herring fishery of Baie des Chaleurs is so abundant that the whole of the produce cannot be used or exported. Mackerel, haddock, halibut, lobsters, oysters, are also found in great quantities; and when a railway connects Dalhousie with other ports on the coast of New Brunswick, this traffic will attain immense proportions. I am perhaps going too far; I see as a reality my most ardent wishes, and I see with eyes of hope this Intercolonial route bringing activity, progress, wealth, life in short, into these localities, which for want of easy and constant communications during summer and only by intervals during winter, have not attained the hundredth part of the state of development of which they are susceptible.

[Mr. Fortin (Gaspé)]

To show how great would be the advantages to our fisheries of a line touching at Baie des Chaleurs, I will give a statement of the products of our fisheries on the above mentioned coasts.

#### COUNTY OF BONAVENTURE

The fishermen of this county have in 1866 caught the following quantities of fish:

	pounds
Codfish .....	2,322,250
Haddock .....	88,500
Lung .....	15,000
Mackerel .....	5,600
Herring .....	2,162,100
Smoked Herring .....	28,000
Halibut .....	2,250
Salmon .....	106,318
Trout .....	4,000
Cod tongues and sounds .....	2,800
Eels .....	1,600
<b>Total .....</b>	<b>4,769,218</b>

Herring used as manure .....	400,000
Capelin used as manure .....	1,455,400
Flat fish used as manure .....	320,000
Smelts used as manure .....	200,000
<b>Total .....</b>	<b>2,375,400</b>

#### COUNTY OF GASPE

Codfish .....	23,903,250
Haddock .....	418,000
Ling .....	38,250
Mackerel .....	579,000
Herring .....	1,563,600
Halibut .....	73,600
Tunny .....	2,000
Salmon .....	69,708
Trout .....	9,779
Eels .....	12,000
Cod tongues and sounds .....	58,273
<b>Total .....</b>	<b>26,727,460</b>

#### COUNTY OF RIMOUSKI

Codfish .....	1,096,500
Haddock .....	18,000
Herring .....	825,400
Sardines .....	510,400
Halibut .....	45,000
Salmon .....	3,503
Eels and Trout .....	9,400
<b>Total .....</b>	<b>2,508,203</b>
Capelin used as manure .....	326,000

Total for the three Counties . . 36,706,281

To this amount should be added the fish caught on the coast of New Brunswick, Baie des Chaleurs, and on the banks of Miscou . . . . 10,000,000

46,706,281

Or 23,353 tons, (hear, hear).

These statistics show that large numbers of valuable fish are used as manure for want of a market. Are not these large sources of wealth, and would not the freight of these products contribute to the maintenance of a Northern route? To this should be added the freights of the products of Gaspé during winter, and of the supplies required by the fishermen. It would be the same in New Brunswick on the whole length of the route. The advantages of Major Robinson's route have been already ably advocated by the representatives of that Province.

The development of our fisheries by the adoption of this route, will, I repeat it, be immense. The Gulf shores being in communication with all parts of the country, the number of fishermen will be doubled, and instead of 40,000 as now, we shall soon count 80,000 in the Dominion. These brave men, trained to the hard labours of fishing, will become defenders of the country in time of danger. The advantages of Major Robinson's route for this great work, which must cost the country so many millions, are immeasurably favourable to our fishing industry. The Frontier and Central routes bring no such advantages.

In an economical point of view, Major Robinson's line speaks for itself. The estimates reach only \$35,000, whilst the cost of the others cannot be under \$46,000 per route.

I have perhaps tried the indulgence of the House, but feeling so deep and special an interest in the subject, I could not permit this opportunity to pass without expressing my sincere convictions in favour of what seems to me the most desirable route. And before resuming my seat, I may add that I feel confident the present administration will make a wise selection, in accord with the views expressed by so many members of this House, both on the Ministerial and Opposition sides. The country looks for a choice of that line which will best promote Union and develop our commercial, agricultural and fishing resources, whilst it advances colonization, and at the same time present advantages as a

military and strategic work. If all these requirements be allowed due weight, I feel no doubt of the choice being Major Robinson's line. (Hear, hear and cheers.)

**Hon. Charles Fisher**—I feel some embarrassment in rising to address the House at this late period of the session, when there is so much important business to be disposed of, and when members are anxious to return home; but I have no alternative. I regret that the local differences in New Brunswick should be brought into this arena, as we heard enough from our Nova Scotia friends in the early part of the session, to warn us against the effects of a similar exhibition on our part. I entertain a strong opinion as to the proper route for the railway; but I was willing to abide the result of the survey, so satisfied am I that if an honest, thorough, and impartial survey is made, the arrangements in favour of the line that I advocate will so preponderate in every respect that it will vindicate itself. I think very little good will be derived from this discussion, as every one will argue from his own stand point; but as the question of route has been raised, it is due to the constituency that I represent, and to all the interests on the southern side of New Brunswick, whose confidence I believe I enjoy, to as large an extent as any other member of the Legislature, to present their views on the subject, and I have remained in Ottawa another day for the purpose of addressing the House. I am no stranger to the Intercolonial Railway. I have often addressed my own people upon the subject, and have urged upon them its manifold advantages, and that, great as would be the charge, it would produce corresponding benefits. Long before my learned friend from West Montreal came to Canada, I had advocated its construction for the purpose of developing the vast resources of these United Provinces. I imagine that I have done as much to promote it as any two men in this House from New Brunswick. I cannot understand why the honourable member should have come from his sick-bed to attack me, before I had uttered a word on the subject. He stated that I wanted the road to run through my garden. I can assure him that there is a railway being built by the energy and enterprise of my friends and constituents, as near my garden as I could desire. Such is the territorial extent of the county which I have the honour of representing, that either of the Intercolonial lines, except the Northern, will pass through it. As he referred to the remark I

made relating to the effect of some of the legislation upon the Maritime Provinces, I can only state that I do not retract anything that I have said upon the subject. I have full faith in the Union, but it is very clear that the Government is ignorant of the wants and interests of our people, and their conduct will alienate their friends. From some cause or other it never contained a fair share of popular influence in the Lower Provinces, and the recent votes have proved that it does not enjoy the sympathy of any portion of them in this House. I voted last night for the motion of my honourable friend from Hochelaga because I believe that so important a question, involving so much money, should not be decided without an appeal to the judgment of Parliament. So far from this cause violating any constitutional principle, it is in strict accordance with the practice of the constitution, as the Government after having agreed upon the route would be compelled to submit it as a part of their policy; and if, sustained by the weight of their influence, it could not stand the scrutiny it was an evidence that it ought not to be adopted. A vote of non-confidence after a wrong selection would not repair the evil. My learned friend from Brome has disposed of the whole question with the dash of a pen. He said if you want the line that has easy grades, and can be built cheaply, the Northern must be selected: if the honourable member manages the finances of Quebec after this fashion, he will soon make shipwreck of his Government. If you prefer the longest, the most expensive and the least productive line, then by all means build the Northern; but do not flatter yourselves with the belief, that it will command much of the travel and traffic of New Brunswick, or even of Ontario or Quebec. The honourable member for Gloucester stated that he was as much in earnest about the Northern line as any member from Quebec; to say the least, that was a very ambiguous statement, and I think it might be difficult to ascertain how much support the honourable member was prepared to give it, for it does so happen that some of the most powerful arguments urged against the adoption of that line, both in the press and otherwise, were employed by him. He reminded me of a gentleman who took a prominent part in Canadian affairs in Lord Metcalf's time. You all remember the event of the Parliament which was called after the resignation of Messrs. Baldwin and LaFontaine, what extraordinary things were done, and how much after the manner of the other side of the line, they settled contested

[Mr. Fisher (York, N.B.)]

elections, and preserved a small majority, upon the principle that might controls right. A member who distinguished himself in those days exercised his action on the plea that every public man had three consciences, one was the real moral sense, that which was influenced by morality and the higher principles of Christianity, and one was his political conscience, and he, too, like all neophytes who have been suddenly converted to any new faith, was exceedingly zealous in propagating the dogmas he has espoused. Major Robinson's survey has been referred to, but we should bear in mind that when that survey was made, there was existing an entirely different state of things. The British Government was expected to build the line, and the different Provinces only to contribute according to their means, and the costs and paying character of the work were not of much prominence, as the great burden of the expense would devolve upon the Imperial Government. Now that we are to build it, other considerations must enter into the question. The debt of the Dominion would not be carried beyond a certain amount without resorting to taxation too burdensome to be borne; we are therefore compelled to make the railway and every other public work we construct, which increases our indebtedness, as reproductive as we can. It might even have been politic to contribute a sum annually for a limited period, twenty years say, as was then proposed, to secure a line of railway in a part of the Dominion least likely to have it, if left to the energy of the people, or the remunerative character of the road; but now that the whole expense will fall upon ourselves, we must bear in mind that every additional burden increases the tariff, and renders the approach to the principles of free trade more difficult. Other than military considerations must enter into this question. The commercial and economical aspects are the more important now; even for military purposes, notwithstanding all that has been said about the Frontier Line, General Eyre, a British officer, has given his opinion that a Frontier Line by the Valley of Saint John, from the Grand Falls down, is the best. I do not propose to take that line, but a Central, which will run at its nearest point as far from the boundary of Maine as the Grand Trunk at Rivière du Loup. While I am inclined to respect the prejudices of those who are influenced in some degree by the military view of the question, I wish to state as I did in moving the Address in reply to the Speech, that I am not in favour of a large expenditure for military purposes. I would maintain

an efficient military organization, and incur such a moderate expenditure as would be satisfactory to the British Government, and assure them that we are alive to our responsibilities and ready and willing to do our duty as good subjects of the Queen; this will be sufficient even for appearance sake. I am not one of those who are influenced by a craven fear of our country. I do not agree with those who say it cannot be defended. Our fathers defended it, and maintained their position when we were a very small people, and our resources limited. I believe their sons will never forget that they are freemen, and if the time of trial should ever come, will prove that they are worthy of their sires. I have no idea of holding this Canada of ours upon sufferance. Let us respect ourselves, and we will be respected. If any difficulty should occur with our neighbours, I think our people can give a good account of themselves, but they are under heavy bonds to keep the peace, from their enormous debt, and as they are the same kith and kin with ourselves, I believe the rivalry will not be hereafter in arms, but in the peaceful triumphs of civilization and of progress. If we have ten years of peace and development, we shall become a great power in the earth, and we require our means for the purpose of improving our country, and making it fit to live in and worth defending. Better construct the Intercolonial Railway without the guarantee, where from the cost of the work, the character of the country it traverses, and the business it will command, it will be to a certain extent reproductive; than with the guarantee on a line which from its cost, length, and position, will not pay working expenses; such a work would hang like a millstone round our necks forever. We have one monument of folly in old Canada; these buildings; do not let new Canada erect another. The Imperial Government have admitted the altered state of things, for in the former proposal to aid it, it was stipulated that they should select the route. But by the present arrangement the line is to be selected by the Government of Canada, and approved of by the Secretary of State. Few railways in this new country would pay the interest of the money invested in their construction, but it is desirable that the Intercolonial should be made as productive as possible. In the book, which my honourable friend from Charlotte said was inspired by the Minister of Marine, some extraordinary arguments are put forward; that any line running near the frontier or on the south side of New Brunswick, would derive a certain amount of business from Maine, and was

in that respect objectionable. What do the men of Ontario say to that? You have always evinced a great desire to have your canals enlarged and improved; the expense of this work is greatly exaggerated in the Maritime Provinces, and I always expressed myself favourable to this improvement, so soon as it could be prudently done. I know you do not desire it for the mere purpose of providing for the growing wants of Western Canada, but as there are half a dozen States on your border, you expect to draw the traffic of these States down through Canada to the Ocean, and you will not enquire whether a barrel of flour, or a bushel of corn, comes from Michigan or Canada: you will gladly receive the toll from any source, unquestionably this is the policy which has influenced the Government in dealing with that question in the past. The author of this book, recognizing the difficulty of building the Northern Line, in consequence of the expense, and the hopelessness of any line contributing towards its support, that did not make Saint John its winter port, has suggested what he called a Northern Central. If it is necessary to secure the harbour of Saint John for the first winter port of Canada, common sense teaches what future experience will every day prove, that the necessities of commerce will seek the shortest road to that port; and if the Intercolonial takes a circuit route, through a poor and slowly improving country, the trade and travel of Canada will flow down to that port through the American and other roads, which are now being constructed. The North Central, so-called, is simply an absurdity, it takes the course of the true North Line until it gets within a few miles of Newcastle, on the Miramichi River, and then instead of following by the shortest line towards Halifax, via Moncton, through Kent, the only remaining Northern country, it makes a long detour through part of the counties of Queen's and King's to the Apohaqui—the point where a Central Line would strike. Why this should be called Central I know not, except that it adopts the Central terminus, for in no part does it run through the centre of the Province. I have heard the selection of the site for the Seat of Government so often thrown upon the British Government, that I hope no attempt will be made to impute to them any mistakes which may occur in this matter. I have no doubt that any line the Government of Canada selects will be approved, as the Imperial authorities have no other object but our good; we have often experienced their munificence, and witnessed their magnanimi-

ty. I have at different periods of time, had communication with the Imperial Government upon the subject. In 1858, in company with Messrs. Smith, Cartier, Galt, Ross, Tupper, Henry and Dickey, I had frequent interviews with the Colonial Secretary and am satisfied that they care very little about the line. If they have any preference at all I incline to the opinion that it is for the Central, and this probably is the reason why it is attempted to give a Northern Line that designation. No Colonial Minister ever entered more zealously into this question of the Intercolonial Railway than the late Duke of Newcastle; and I understand that he stated that though he himself saw no objection to a line running along the border, he thought from prudential motives, and to meet the objection and prejudices of some, it would be the safest course to adopt a Central Line, which should preserve a distance of fifteen miles from the American boundary. What Ontario and Quebec require, is the shortest route to the ocean for the heavy productions. Halifax from being the foreland, the nearest point to the Old World on the great Atlantic ferry, must always command the passenger travel and certain light freight. The only ports open in winter are Saint John, Saint Andrews, and L'Etang, and the harbours on the Bay of Fundy. If the Intercolonial Railway does not offer to the western part of the Dominion the shortest outlet to these parts, it never could command their traffic. The roads in progress, and other lines and extensions connecting them with the west would be constructed, and perform the real function that the Intercolonial is intended to discharge. If the men of the west can make up their minds, that the Dominion can afford to throw away millions upon a line which will be expensive to build, difficult to keep, (from the nature of the country it traverses) and not likely to command much traffic, the Northern will enable them to do so. If on the other hand, they want to save all the money they can, then build the best central line through the country most fitted for agricultural purposes, in the most progressive part of New Brunswick, where from the settlements, and the connections of other lines, it will be easier maintained, and produce more revenue. I have heard it stated in this House, by different gentlemen, that this Dominion is about to expend a large sum in the construction of this road, for the sole benefit of New Brunswick, as if some great favour was about to be conferred upon us. If you select the Northern Line, two-thirds of the people will

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never use it. You know that the Union was sought for by the statesmen of Canada, and I think wisely, to give you what my friend, the Minister of Militia calls the Maritime element. There was a time, when you were afraid that the United States authorities would abolish the bonding system, and deprive your merchants and corn growers of the means of transit over their railways. If such an event should occur in the winter time, Ontario and Quebec would be completely land-locked. It is to make these Provinces independent of the effect of such action that this railway is to be built. Its construction will prevent such a state of things arising, for if the productions of the West were driven from the American roads by fiscal regulations, they would be transported on the Intercolonial Railway, the very existence of which would prevent the occurrence. I was a member of the New Brunswick Assembly and well remember when Major Robinson's survey was made. The late George Young, of Halifax, visited the different Provinces to induce the Legislatures to unite in procuring it. Major Robinson was appointed by the British Government, and made a complete exploration and survey of the Northern Line, and stated that he could not find a centre line, though he admitted the desirableness of it, but said that from necessity, he was compelled to adopt the Bay of Chaleur route, as the different attempts to get through the centre ended in what he called a cul-de-sac. The only attempts he made were from the previous knowledge of the country, least likely to succeed, as the descent into the Valley of the Tobique was then the most sudden. Mr. Wilkinson, one of the engineers, contended that if he had been allowed time to explore the country, a good Central line could be found, and that Major Robinson might have known that his experiments were made in the wrong place. The lumberers, also acquainted with the country, asserted that there would be no difficulty whatever in finding such a line; subsequent researches have proved the correctness of these opinions. Mr. Baillie, the Surveyor-General, and an English engineer, who had full information as to the country, suggested a central route by the Valley of the Keswick as being the shortest, and possessing more advantages than any other. Mr. Fleming had no difficulty in finding several central lines, but he stated "that his survey could not be considered more than a mere exploration, the means at his disposal, with the short time allowed for the service, rendered it impossible to accomplish



more than a rough and rapid survey, in all probability not the best." He says that he has no doubt that by a further survey he can shorten the distance some thirty miles. Mr. Light also explored a Central Line. It would be impossible for a person not acquainted with the country, to form an accurate estimate of the relative fitness and cost of the different lines, without a thorough survey of the whole country, and it would be sound policy to make it before determining the route, as the improper location of a few miles would defray the expense of a season survey. Each line should be examined by the same engineer, and the expense of each computed. The honourable member for Gloucester, has read extracts from Fleming's report to show the height of land in that part of the Central Route, which lies in the upper part of New Brunswick, but has omitted to read in the same connection that he had stated "that the mountain ranges are separated by low lying water channels, which may be mentioned: Lake Temiscouata, River Toledi, Squattie Lake, besides branches of Green River; several of these do not exceed five hundred feet above the sea line." Major Robinson requires fourteen bridges to cross the Matapedia River, from 120 to 150 yards each. Fleming is of the opinion that the number can be greatly reduced, but he proposes some very expensive work instead. Major Robinson says, "from the St. Lawrence to the Restigouche is a vast tract of high land, intersected in every direction by deep valleys and vast ravines. Height of land, full of lakes and the mountain ranges rise to a great elevation. The only available valley is the Matapedia for the distance of 70 miles. Rock formation nearly all slate. Generally speaking it is unfit for cultivation, and of a gravelly, rocky soil." At one point he states that "the river turns almost at right angles, shut in by rocky precipices, 150 feet high at the south. For 35 miles from the Forks to the Restigouche, the river flows through a rocky gorge, with many twists and windings between the banks, varying from 800 to 1,000 feet in height. These in many places are very precipitous and rise immediately from the river edge, but frequently there is a narrow margin favourably situated for a railway." In another place after describing the valley of the Matapedia, he says "twenty miles of the valley will prove expensive, but the grades will be easy." I may observe that easy grades can be had in any country, if money enough is expended. "At Lewis rocks, fifty-eight miles from Matapedia, it will be necessary either to

divert the river or form a tunnel 1,300 feet. The work is unusually heavy." I have not time to enumerate the miles of expensive bridges necessary to cross all the rivers on which the North Line must run, but as a sample I give you the Miramichi, which is only 2,000 feet long. I will not detain the House with extracts from the reports, but will refer to a book which you can all examine at any time—the book of nature. You all know that where a country is full of rivers and lakes, as is the case in New Brunswick, there will be no difficulty in finding a favourable line of railway, and you likewise know that the line which passes close to the sea and near the mouths of great rivers, must be more expensive to build than one which crosses these rivers at their sources. The first 24 miles of Trois Pistoles is common to all lines. From that point a Central Line by the valley of the Keswick, and extending to the Apohaqui, on the European and North American Railway, offers the most advantages in every respect. It runs nearest to the direct air line on the eastern side of the Saint John. It is the shortest and will cost the least. It will pass through the best land and the most progressive part of New Brunswick; through a country rapidly filling up with people, where there is abundant water power, gypsum, limestone, iron and coal. From Trois Pistoles to Green River, passing the Squattie Lake, a distance of above 66 miles, the grades are generally described as easy and the country fit for settlement. Mr. Lawson says "the country generally has been lumbered over, there are no heavy pine or spruce. It is well watered, most of it eligible for settlement. In no part did I meet with bad land, in many places soil superior to the land settled near Trois Pistoles. From Green River to the mouth of the Nashwack there is a parallelogram of about 35 miles by 150, containing from two to three millions of acres of land of the finest quality, the very garden of New Brunswick. Fleming says, judging from the portion cleared on the lower part of the Keswick Valley, the soil must be of a superior quality. This part of the Province is settling rapidly. It is full of small rivers and streams, upon which there is much interest, and the high land is generally covered with a growth of fine hard wood, rock maple, and the like, with swales in which are butternut and hemlock. From Green River to the Tobique is a magnificent country—settlements are forming in all directions on the streams which run into the St. John and Tobique. It crosses the Tobique about 40 miles from its

mouth, and 20 miles below navigation by Durham boats. This is a noble river, supplied with numerous tributaries; it is skirted with intervalles, some of which extend a mile from the shore, and has also extensive quarries of fine gypsum. The line in its progress to the head of the Keswick can be connected with the Frontier Line at Woodstock, by a branch of about 25 miles, and a bridge across the River St. John, which has been provided for. This opens up direct communication to St. John, St. Andrew, and St. Stephen—terminus of the Railway. As an evidence of the rapidity with which the country is settling, I may mention that in the Northeast part of Carleton, lying midway between the Tobique and Keswick, where seven years ago there was not an inhabitant, there are now five hundred families, with five buildings, neat places of worship and good school houses. From the Tobique to the north branch of the Miramichi, passing the head of the Nashwaak to the Keswick, the line follows the valley of that stream to the Saint John. In a large portion of the country the settlements extend tier upon tier, to the distance of twenty-five miles from the river, and they are rapidly uniting. The grades through a great part of this section are easy, though it contains the portions in which they are the heaviest. The line can be connected with Saint John by western extension, by a few miles of railway and a bridge across the river near Fredericton, and would form the shortest road to the ocean nearest to the air line. Until a bridge is erected the river can easily be crossed on ice in winter, or by two good steamboats, which constantly ply while the navigation is open. From the Nashwaak to the Apohaqui, 81 miles, the country is generally settled; the soil is good, except over the coal fields; the line passes over the navigable waters of the Grand Lake, a sheet of water about 23 miles long by 6 wide, surrounded with good farm and milling establishments, where steamers ply betwixt it and the City of Saint John, while the river is open near this point it passes over the extensive coal fields of that region. In this section the grades are easy. Assuming that the survey does not shorten the distance, lessen the grades, and improve the character of the line, generally, which is not at all probable, it offers advantages far beyond any other. Even now the grades generally speaking are favourable, the highest are not greater than between Truro and Halifax, the last sixty miles of the whole line, and they only occur in particular spots, where more power can easily be applied by station-

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ing additional engines on parts of the line. The author of the book urges that the line run for some miles from Trois Pistoles to near the American boundary, although it maintained a greater distance than the Grand Trunk at Rivière du Loup, because the land near the Rivière du Loup is poor, and the land along this part of the lines was good and would soon be inhabited. No doubt, the general excellence of the soil through which the road passes is one of the advantages it possessed, but as it draws towards the boundary it has the River St. John between it, and at the Grand Falls, where the nearest approach is desirable, the river is impassable. The most amusing part of this book relates to the snow, which is said to be always less near the seacoast, as it is influenced by the action of the sea. I suppose that the author forgets that his coast is all frozen up in the winter. Upon the same principle it may be said that there is more snow in New York than in Bangor. I am informed that the Northern Line will not only be subject to snow, but as it approaches the coast, the drifts are very frequent and will be very heavy and deep. He must have been reading Mr. de Rosa's report. This gentleman appears to have been in the employ of the Government; and perhaps is now; he was sent down to the lower counties on the Saint Lawrence to make enquiries, as to teams and men, and he indulges in some very grave reflections regarding this line. He says "it is the Southern removed a little farther from the Frontier, not sufficiently so." He appears never to have been in that part of the Province—but thinks that the country is full of gorges, and uninhabited, and that unless men were employed for the purpose, a train might be detained in the snow until the passengers perished from the want of assistance or provisions. If he will travel down through that country, he will find that even now, there would be no fear of any such difficulty as he anticipates, and by the time the road was completed it would be lined with inhabitants. It was said by the same authority, that the Northern Line would develop the fisheries. I imagine, that in the fishing season, the sea and river offer the best method of promoting that interest; and the winter, when the railway could be called into action is not the time for development. It is said that the Northern Line will largely benefit Gaspé, Bonaventure, and Rimouski. How it will benefit Gaspé much, which is so far removed from it I do not understand. It is true that it will pass through a small portion of Rimouski and

Bonaventure, but if settlers cannot be found in that portion of Canada to buy the land at thirty cents an acre, the price for the surveyed land, it will require something more than a railway to settle it, unless by some new process it can carry a quantity of alluvion to render the soil productive. My friend from Restigouche made some very extraordinary remarks relative to myself and the member for Carleton. I have not spoken on the subject until to-day, and the discussion has now been forced upon me. You might suppose that we were disposed to do injustice to the North because we are opposed to the Northern Route. The first line of railway constructed in New Brunswick, was from the Harbour of St. Andrew's to the neighbourhood of Woodstock. Shortly after the Ashburton Treaty, John Wilson, Esq., an enterprising merchant of Charlotte, suggested a line from St. Andrew's to Quebec, of which this forms the first link. By great exertions and energy on the part of the people of Charlotte, this portion of the line was built, mostly by English capital. The Province took 50,000 pounds in stock, and gave the company a large grant of land along the line. Nearly twenty years since there was a great excitement in St. John, and in some other parts of the Province to build a road from the Harbour of St. John to Shediac. It was urged that it would develop the trade of the North, particularly the fisheries, and would be productive of great benefits. I believed it to be a delusion, and succeeded in defeating it when first proposed. I urged that the better course was to run towards Canada direct, that the growth of the North in population and trade had been much slower than the South, and that notwithstanding the railway, the relative proportions would continue. I derived my information then, as now, from the census and other reliable sources. In two or three years after this, Mr. Jackson came to the Province, and in the excitement a company was organized to build the road. The Province got involved in it, and when I was called upon to undertake the leadership of the Government a few years after, I was compelled to go on and finish the work, or lose what we had contributed. I then asked my friend, who does not sit far from me, and who was an advocate of the road, what he thought it would pay in ten years—he said three per cent. I said if it paid that, I should be satisfied, and we could go on and build more. Seven years have elapsed, and it has not paid one per cent. Ever since it has been built we have been compelled to pay large

subsidies for steamers, to connect the Northern ports with it, so little has their trade and enterprise done towards it, though we had expended a million sterling in making the road to develop the trade, and also the fisheries. Had this money been expended, as I proposed, in extending the line towards Canada, by this time the enterprise of the people would have carried it to within a short distance of the Rivière du Loup, and the Intercolonial would have been a fixed fact. The railroads on the south, to which my friend refers, are being built in this way. When he was a member of the government, and whilst I was not, and the member for Carleton not in the Legislature, an Act was passed, which gave a subsidy of \$10,000 per mile to certain railways on the south, and on the east and north; one from Saint John to connect with the road to Bangor, this road is now building, and will be completed in less than two years; a branch to Saint Stephen, which is completed and in operation; a road to Woodstock, this will be in operation by the end of the month; a branch to Fredericton, which is all under contract, and the work proceeding, it will be completed during the next season. The roads on the south side of the Province are being built by the energy and enterprise of the people. They have formed companies, and have taken stock, and the localities have taxed themselves to provide large aid to induce enterprising men to undertake the work. Here are 130 miles of new railway, besides the 90 miles of the old Saint Andrew's Road, which will help to contribute to the Intercolonial. If in an evil hour the wrong line is selected, the same energy that has constructed these will by extension, or otherwise, do a large share of the business that road should do. The same Act gave a large subsidy to build a road of nearly 50 miles, from Moncton to the frontier, for the benefit of east and north, which is under contract, and should form part of the Intercolonial; and a like subsidy to make a road from the European and North American to Miramichi. If our friends on that side of the Province had displayed as much zeal in this way as the south, they would have been in the same condition. They saw very little prospect of return, for the road from the nature of the country it would traverse, and have folded their arms in the hope that they could induce the building of the Intercolonial there. If it takes this central route, the subsidy will enable them to secure the connection with that line, if they will tax themselves as we have done. It is no fault of mine that my

friend's County of Restigouche only increased less than 15 per cent in the last decennial period, while Carleton on the other side increased nearly 80; that large numbers of families are leaving his County, while they are continually flowing into Carleton and the country through which the Central Line will run. I am not to blame because the land through the north after you leave Restigouche is superior to that lying along the Central (Mr. Johnson, you never were in the north) I have been in Northumberland. I am not giving my opinion, my authority is Professor Johnson—who has appended a geological map of the entire country to his book, and much of that in the north is inferior to our second quality of land. Refer to the census and you will see how, not only in population has the relative increase been so much greater, but in all agricultural and other productions, and in everything that gives evidence of a progressive people. Major Robinson's estimate of the cost has been referred to. He never made any reliable estimation by measurement and fair arithmetical computation, or by a computation of the actual cost of work to be done and the materials required. In order to fix an amount per mile, he averaged the cost of the Massachusetts roads, which was 7,980 pounds sterling per mile, but he says the iron cost seven pounds sterling more per ton than in England, where that for the Intercolonial would be purchased, and he made his estimate 7,874 pounds sterling. The different roads in Massachusetts cannot compare with the road Fleming proposed to build, because he intended to elevate it through its whole length by an embankment to avoid the snow which would add 400 pounds sterling per mile, besides other extra and expensive work to make a first-class road. He also states the average cost of the Grand Trunk from Montreal to Portland at 5,089 pounds sterling per mile, while it actually cost over 8,000 pounds sterling. He says the Massachusetts climate is similar to that of Halifax and Quebec, while in truth it is much milder. Fleming's estimates appear to be very high, but whatever they are his principle must be applied to the North as well as the Central, and when all the bridges required on the North are included, it will turn out to be rather an expensive affair. Fleming made allowance for curves not included in Major Robinson's estimate. If the centre line is selected it can be built within the three millions sterling; the way the road is spoken of here does not commend itself to my mind, many persons seem to think it necessary to

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squander some millions on this work more than I think is required. I am a little alarmed at the feeling, I think, I notice in regard to the work; there appears to be an idea pervading men's mind that a very large sum is to be expended and a great many persons are in some way to get well paid out of it. It is true that the interest on three millions will be lessened by the guarantee, but the principal money to be paid is all the same, and if from political folly, or bad management, it cost more, the additional debt will pay the full rate of interest. As the debt increases, the burden of the interest will increase, and taxation in proportion. In my opinion, we should economize where we can to avoid the demand for new taxes, and get rid of some of the old ones if possible. I have said nothing as to the mode proposed of constructing the work: I hope before it is too late, that the attention of the House, and the public opinion of the Dominion, will be turned to this subject. The most commanding question we have to deal with and the most dangerous, being a great money power. I hope that the Government will not be led away by extravagant and visionary engineers, at the expense of the tax payers of Canada. The road building from Saint John to Maine is a gauge of five feet six inches, and to be a first class road, forming part of the European and North American, the great highway of the nation, to connect with the American and Canadian roads. It has been let to a contractor, who engages to construct without rolling stock or stations, ready for the locomotive, for \$22,000 per mile, including land damages and engineering; he has sub-let the whole at a considerable profit to a number of solvent parties, who each expect to make money, and are carrying on the work rapidly. The first thirty-five miles of the line are very heavy, and the whole line cannot differ much from the Central, but suppose that it does add \$3,000 per mile, to include the embankments, making \$25,000 per mile in all. The land damages are about the same on both. Six thousand dollars more should be enough for rolling stock and stations. I have had no time to think of the method in which it is proposed to do the work; I had supposed that it could be done by the Board of Works, and I have heard nothing to prove the contrary; perhaps the mode proposed is the best, but if we are to have 18 expensive departments, and some of them with apparently little to do, and when any real work is to be done, instead of remitting it to the proper department, create a new one, with extensive and

expensive machinery, it may be prudent in the interests of the people to turn aside and enquire into the state of the Dominion, with a view to a more economical system. By the Keswick Valley route the distance from Rivière du Loup to Saint John will be 1180 miles, of which 343 are to be built, and to Halifax 572, of which 452 are to be built. Every line strikes the European and North American Railway at some point, which requires 109 miles to be constructed by the Intercolonial, to connect Moncton on that line with Truro. Rivière du Loup will be connected with the Frontier Line at Woodstock, through this line, by 200 miles of new railway, and then the connection would be complete to St. Stephen, St. Andrew and Saint John, and with Halifax by the European and North American. Rivière du Loup can be connected with the so-called western extension by constructing 260 miles and a bridge; this would make the whole distance to Saint John 526, and to Halifax 592. It should not be forgotten that there is every probability that thirty miles of the upper part of the line can be saved, shortening the distance and reducing the amount required to be constructed. The Northern Line from Rivière du Loup to Saint John is 486 miles, of which 390 are to be built; and to Halifax 580 miles, of which 499 are to be constructed. I have not referred to the North Central, so-called. If it should be determined to take the shortest line to Halifax and ignore Saint John and the great interests of New Brunswick, there is a manly and straightforward way of doing it, either by adopting the Northern Line circuitous as it is, with its expensive bridges; or the Central direct to Moncton instead of Apohaqui, this would shorten the distances. But to follow all the crooks and turns of a tortuous line over all the rivers, and then when it arrives at Indian Town on the Miramichi, instead of passing directly through Kent to Moncton, it diverges toward the River Saint John, requiring the road to follow two sides of a triangle instead of the base. The distance by this line to Saint John is 424 miles of which 387 are to be built, and to Halifax 616 with 490 to be built. I observe that great efforts are being made to prejudice the public mind on the question of the route, and it does not require much discernment to perceive the moving principle in all this; but if there is an honest and thorough survey, and estimate of expense of each line made, upon principles applicable to each, I have no fear of the result; it will be found that the Central Line can be constructed for some millions of dollars less than

the Northern. Assuming that a Central Line will be selected, it being the shortest, the least expensive, and that which will open up the largest extent of country for settlement, I prefer the line by the Valley of the Keswick to Apohaqui, which I have described, because though it is a few miles longer to Halifax than by Moncton, it shortens the distance to Saint John, but there are six miles less to be built. Giving hind force to every military prejudice, which I do not value myself, it preserves in the upper part of New Brunswick, where it approaches nearest to the boundary, is sufficient distance to prevent any objection on that score. From the partial survey made, the grades are generally favourable, and I believe when it is thoroughly surveyed, it will be found equal to any other line in that respect, so much of the country is a dead level. It should not be forgotten that Major Robinson was nearly three years surveying the Northern Line, and has not furnished any reliable data upon which to construct the road. Fleming was only occupied a few months. It can be connected by branches with all the roads now in course of construction, and thereby give to Ontario and Quebec several other short avenues to the sea; and if the Northern Route is chosen, these railways will by extension to the American roads, and otherwise command much of the trade which the Intercolonial should enjoy. The location of the line is such that it can be built upon the best terms; the whole country from Apohaqui to the Temiscouata is well supplied with horses, oxen, teams, and all other things required for such a work, and it is approachable by water and by roads at short intervals all along that portion of the line. I have not discussed any of the advantages of the Intercolonial Railway, because it is part of the compact of Union, and is provided by the Act of Parliament. I have always regarded it as a link in the great chain of communication which is to unite the Atlantic to the Pacific, and its extension will be a means of developing the resources of the North-West and Rupert's Land, which we were discussing a few days since.

**Hon. Mr. Johnson** followed, speaking in favour of the northern route, and was interrupted by the arrival of six o'clock.

#### SUPPLIES—PROMISSORY NOTES

##### After the recess.

The supply Bill was read a third time and passed; also the Bill to impose duties on promissory notes and bills of exchange.

### ACT RESPECTING BANKS

**Hon. Mr. Rose** moved the second reading of the Act respecting banks. He explained that the object of the Bill was to enable banks in one Province to carry on business as corporate institutions in any part of the Dominion. At present they could do so but indirectly, as persons desiring advances on bills of lading, had to obtain the endorsement of a third party.

**Hon. Mr. Holton** objected to the first clause, which would extend privileges which banks now enjoy under their special charters without any application from them. The effect of the clause would be to increase the power of the Bank of Montreal and extend the influence to the Maritime Provinces, which was not in the interest of the country. That was the only bank which would avail itself of the provision.

The Bill was read a second time, and passed through committee without amendment.

**Mr. Godin** moved to amend, by substituting for 17th section, a provision that no bank shall exact more than 7 per cent for money, under penalty of three times the amount on which a higher rate is charged. At present, banks might charge a higher rate without incurring penalty.

**Hon. Mr. Cartier** said the amendment would be going back to the old money law; that the general question was not before the House now, but merely a proposition to extend to banks in the Maritime Provinces the same privileges as were enjoyed here, which was only fair, as they bore the same burdens.

**Hon. Mr. Tilley** supported the amendment, which he believed would be in the interest of the commercial community he represented.

**Mr. Savary** thought it would be sufficient to enable banks in the Maritime Provinces to charge 7 per cent instead of 6 as at present, and he could see no objection to an amendment which merely gave effect to the prohibition against a higher charge.

**Hon. Mr. Dorion** favoured the amendment. Banks, at present, might charge any rate, and were often mere shaving shops. While individuals were open to severe punishment for charging more than 7 per cent, banks practically might charge what they pleased.

**Sir John A. Macdonald** thought the general question of the rate of interest should not be introduced on reading such a Bill as this. It would come up in its proper time.

After debate, on division, the amendment was lost—**yeas, 40; nays, 76.**

**Mr. Dorion** repeated that the effect of this Bill would practically be to permit the banks in the Maritime Provinces to charge any rate they pleased, while individuals were restricted to 6 per cent. We had heard a great deal about the effect of the power of the Bank of Montreal in the old Province of Canada, and this Bill would have the effect of extending that power to the Maritime Provinces.

**Mr. Gibbs** could not agree that the Bank of Montreal was the only one which would avail itself of the provisions of this Bill. The Bank with which he was connected had desired to establish an agency in St. John, but there was no inducement to do so when money could be loaned so much more advantageously here.

**Mr. Harrison** corroborated the statement of the last speaker. He desired as much as anyone to see the power of the Bank of Montreal crippled; but there were other banks desirous of possessing facilities to meet the requirements of the trade with the Maritime Provinces.

**Hon. Mr. Rose** having moved the third reading of the Bill,

**Hon. Mr. Holton** objected, saying that he could not move that, after reflection, Government would to-morrow persist in passing the Bill in its present shape.

The third reading was ordered for to-morrow.

### INTERCOLONIAL RAILWAY

**Mr. Johnson** then resumed his remarks on the third reading of the Intercolonial Bill. He contended that the last speaker on the subject (**Mr. Fisher**) in opening the north shore route, spoke of a country of which he was ignorant. The report of Major Robinson showed that it possessed agricultural advantages and facilities for settlement superior to those of the country through which the other proposed lines would pass. **Mr. Fleming** had also spoken favourably of the same route, though, of course, he had not recommended any particular one, as that might have interfered with the carrying of Confederation. When it was known that the North Shore route

offered so many advantages over the others, he did not see why it should not be accepted without the delay of another survey. He spoke not merely as a representative from Northumberland, but of the Dominion. All that he claimed was that the route should be chosen on the evidence of disinterested persons.

**Mr. Burpee** thought it was useless arguing the question till the routes were surveyed and evidence placed before the House. He was quite willing to leave the deciding of the route to the Government. From what evidence he could gather, it appeared to him the Central route was preferable. Grading was no heavier than on some parts of the Grand Trunk, and yet no difficulty was experienced there.

**Mr. Robitaille** contended that there was evidence before the House sufficient to form an intelligent decision as to the respective merits of the different routes. He went on to quote from Major Robinson and Mr. Fleming's reports to show that the North Shore route would be cheaper and would serve the trade of the country better than the Central. He also was willing to leave the decision to the Government.

**Mr. Tremblay**, after arguing in French in favour of the North Shore route, moved that the Bill be referred back to Committee of the Whole for the purpose of amending it by adding a clause adopting Major Robinson's route, subject to approval of Her Majesty's Secretary of State.

**Hon. Mr. Langevin** said the motion left members no alternative but to vote against the Government or against Robinson's Line. The Bill provided that a choice of line be made by Government after new surveys and most careful consideration. If the motion was adopted, it was a vote of want of confidence. If rejected, the opponents of that measure would contend in England that Robinson's line had been rejected by this House. Great considerations were attached to the decisions, and Government would act in the interest of colonization, commerce, local and general; but Ministers could not be bound by such a motion, against which many members favourable to Robinson's line would vote.

**Mr. Sylvain**, seconder of the motion, said he was now satisfied that the Government would favour Robinson's line, and did not want to push the motion through.

**Hon. Mr. Dorion** said the motion only declared that Robinson's line was the best—this opinion being shared by a great majority of this House. If Ministers opposed it, it was because there were some other motives, and they would not favour that line.

**Mr. Ferguson** considered the amendment as a useless occupation of the time of the House, and deprecated the entire discussion which had been maintained by the Maritime representatives, as if they only should have the privilege of speech upon the subject which they had, from their local prejudices, so far involved in perplexity as to make it probable that a three months' debate would scarcely be long enough to conclude the discussion. It seemed to him that the Western Provinces had also some right to be heard, as wherever the road might be laid, it would have to bear not the least share of the cost. To him who had none but the public interests to desire to serve the controversy of this night, and the last, had afforded sufficient corroboration of his already formed opinion that the Government should be left to determine the issue, which he would leave in their hands, trusting that the interests of the whole country would be thus impartially secured.

The amendment was then withdrawn, and the Bill read a third time and passed.

**Mr. Tremblay** said he was perfectly satisfied the Secretary of State was in favour of Robinson's Line and consented to withdraw his motion.

#### FOREIGN AGGRESSIONS ACT

On motion of **Hon. Mr. Cartier**, the Foreign Aggressions Act was read a second and third time and passed. Mr. Cartier explained that this Bill was only an extension of the old Canadian Act to the whole Dominion.

**Hon. Mr. Dorion** regretted that such an Act was necessary; but if Government had information in their possession which justified such an Act, he could not object to its being passed. He would much rather, however, have seen the law abolished in Ontario and Quebec, than extended to the Lower Provinces.

**Hon. Mr. Anglin** thought special power should be given to regular judges in case of necessity rather than that military courts should be established.

**Hon. Mr. Cartier** said Government considered such necessary at the present time.

**Hon. Mr. Holton** asked what measures would be pushed through and what left over till next part of the session.

**Sir John A. Macdonald** said the Council would meet at 10 o'clock to-morrow and decide that point.

**Hon. Mr. Holton** said it was necessary they should discuss the general policy of the Government in creating and maintaining new heads of departments, and suggested that the Bill constituting the departments be laid over

till the next part of the session, as it was impossible in the short time at their disposal now to discuss them intelligibly.

**Sir John A. Macdonald** said these bills would be postponed, though it might be necessary to pass one or two of them in this part of the session. He would be able to inform the House at 3 p.m. to-morrow which of the Departmental Bills it would be necessary to pass; but thought all business would be through in time for members to leave by the one o'clock train on Saturday.

The House adjourned a few minutes before midnight.

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## HOUSE OF COMMONS

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Friday, December 20, 1867

The Speaker took the Chair at 3 o'clock, about sixty members being present.

### CLOSE OF THE SESSION

Sir John A. Macdonald moved that when the House adjourns, at the second sitting this day, it do stand adjourned till 1 o'clock to-morrow. Carried.

### RULES OF THE HOUSE

On motion of Sir John A. Macdonald the House went into Committee of the Whole to consider the report of the Special Committee on the Rules of the House—Mr. D. A. McDonald in the Chair.

Hon. Mr. Dunkin said, almost the only change made in the rules of the old Legislature of Canada, at any rate the only important change, related to the mode of dealing with private Bills. It would be in the recollection of those members of the House who were in that Legislature that the session before last a Committee was appointed to assist Mr. Speaker in framing rules, and they unanimously reported certain amendments. These amendments were not concurred in, simply because there was a pressure for other business. Last session they were again postponed because a new system of Government was about being inaugurated, when it was believed these rules would be all recast. The amendments to which he referred had received the assent of all the leading working members of the House, and their adoption now would perhaps be the more important that they would serve as guides to the Local Legislatures, where a large part of their business would be in the form of private legislation. They provided that private Bills should go to their appropriate Committees after the first and before the second reading. Instead of after the second reading, as heretofore; that in committee the preamble should first be disposed of, and then the details taken up; that if passed by the committee the Bills should be returned to the House for the second reading, when their principles would be discussed and passed upon; that then they

should be considered in Committee of the Whole, and amended in such respects as might be deemed advisable. These changes he thought would work advantageously. They would enable the Committee to get to work at an earlier period in the session, exercise greater supervision over measures referred to them, and would prevent a rush of private Bill legislation at the end of the session, when, under the old rules obnoxious Bills were often passed in haste the moment after those members who opposed them had left. Besides, there was often long and useless discussion on the second reading of measures which were afterwards entirely changed in Committee. Under the amended rules the Committee would perfect the measures before the second reading, and these discussions would be avoided. Another change was that the promoters of private Bills should deposit one hundred dollars instead of sixty meet expenses. He (Mr. Dunkin) had carefully watched the course of private Bill legislation for years, and he was confident from his observations that these changes would be productive of good as well as in the way of saving the time of the House.

Hon. Mr. Holton suggested whether it would not be necessary in consequence of these changes to require private Bills to be printed before first reading, instead of being introduced in blank as heretofore. It would not be proper for the House to refer to any of its Committee Bills, the contents of which were unknown.

Mr. Mackenzie also suggested that notices of when Committees should meet, what Bills would be considered, and other facts in regard to Committees, should be posted in the lobby with greater fullness than was now the case. The new rules should be made to provide for this.

Hon. Mr. Dunkin said he would adopt these suggestions, and change the rules so as to embrace them.

The rules were then adopted with the amendments suggested, and the Committee rose.

### BILL RESPECTING BANKS

On motion of **Sir John A. Macdonald**, the Bill respecting Banks was read a third time and passed.

### ADJOURNMENT TILL MARCH 12

**Sir John A. Macdonald** moved that when the House adjourned to-morrow it do stand adjourned till 12th March.

**Hon. Mr. Holton** asked whether Government had considered the effect this long adjournment would have on expiring laws, in case it should be found necessary, on account of extraordinary circumstances that might arise, to prorogue Parliament, with the view of calling it together at an earlier period than the 12th March.

**Sir John A. Macdonald** stated that in 1854 Parliament adjourned for two months on account of cholera breaking out. It was prorogued in the meantime, and when it met again, it was for a new session. Provision, however, was made to remedy any injury that might have been caused by expiring laws, and he supposed the same would be done now, should any event now unforeseen arise to render necessary an earlier meeting of Parliament.

The motion was then adopted.

### THE BUSINESS POSTPONED

In reply to **Hon. Mr. Holton**,

**Sir J. A. Macdonald** stated that Government, before the adjournment of the House, would allow all the items on the paper, except the first and ninth, to stand over till March. The first was the third reading of the Bill respecting banks, and the ninth was certain resolutions respecting the rates of postage in Canada and Government Savings Banks. It was expected the House would get through with these resolutions and the Bill founded upon them in time to enable His Excellency to come down at 11 to-morrow and give the Royal assent to the measures which had passed Parliament. All the Bills relating to the organization of the departments would stand over till Parliament met again.

### POSTAL RESOLUTIONS

**Sir J. A. Macdonald** moved the House into Committee on the postal resolution.

**Hon. Mr. Holton** thought the money clauses should be permitted to stand until next session. Of course, there was no objection to the departmental provisions passing now; but there were two or three questions of public policy which he thought the House hardly prepared to consider at present. The reduction of letter postage was a financial question on which the House ought to have some information. They had nothing to do with the discussion in the other House, of which they could not take cognizance. He thought it had been improperly introduced there. The change in the letter postage might be a wise and prudent thing to do in the present state of the finances; but they should have some information of the effect it would have. Then as to the extension of newspaper postage, he feared this charge upon the transmission of newspapers would be vexatious to the Maritime Provinces, and it would be imposed in the absence of nearly every representative from those Provinces. The third objection he had was to the system of savings banks proposed in connection with post offices. We had no information as to the probable working of these banks, which touched very closely the whole question of banking and currency.

**Hon. Sir J. A. Macdonald** could not assent to the applicability of this charge of unconstitutionality. The Postmaster-General, whose office in England was always filled by a Peer, had taken most scrupulous care to avoid any infringement of the privileges of the House. He was sure that the proposition for a reduction in the letter rate would be universally regarded as being in accordance with the spirit of the age, and the charge upon newspapers, which it was said would be so unpopular in the Lower Provinces, was a simple charge for freight, the remission of which would be to offer a bounty to this particular industry, and thus to introduce a principle which he could not regard as being correct. The usefulness of the Post Office Department would be greatly interfered with were it to be loaded with the burden of gratuitous carriage of newspapers through the whole of this vast country. If from such a diminution of its revenue, the Department were frequently to be compelled to ask the assistance of Parliamentary grants, Parliament would be disposed to discourage the multiplication of offices in the thirty settled districts, where it was of the greatest importance that they should be found. He then dwelt upon the advantages of the Savings Banks system be-

ing taken under Government control, which he believed to be such as would meet the unanimous approval of the House.

**Hon. Dr. Tupper** desired to offer a few reasons for the remission of this tax upon newspapers. There was a fair distinction to be made between letters and newspapers, the former being mere private communication between individuals, and the latter being in some measure the organs of communication between the Government and the people, furnishing the only means by which to acquire that acquaintance with the law, which everybody was presumed to possess. They occupied a similar position to that of schools, presenting one of the easiest channels for the enlightenment of the people. If there ever was a time when it was necessary for the interests of the whole Dominion that just the sort of information which newspapers conveyed, should be disseminated through all the Provinces, it was now. He was most averse from touching upon local or sectional prejudices, but it could not be denied that there was a considerable amount of mutual hostility existing between different portions of the country, arising from their ignorance of each other, and their want of that information regarding each other which newspapers would provide, and any check to the dissemination of which, must be a matter for regret. He would, were it necessary for the revenue, prefer to retain the existing letter rate than to extend through the Dominion this newspaper impost, unknown in the Maritime Provinces before. The tax, moreover, would fall unequally upon those who were least able to pay. While the convenience of railroad communication would supply the great cities and important towns with newspaper parcels, almost free of charge, the mass of the people in outlying districts, who ought to be specially favoured by the Legislature, would be compelled to pay the greater share of the burden. He hoped that the Government would be induced to reconsider the proposition. The Savings Bank scheme, he approved of as one likely to recommend itself to the House and to the country, and would only remind them of the great care necessary to be taken, at least in the Lower Provinces, to secure competent and trustworthy managers of these new institutions.

**Mr. Mackenzie** accepted the argument of the honourable member for Chateauguay, as having been offered less in opposition to the Government proposals than from a desire to secure some delay for their consideration; a

delay he also was disposed to urge. He deemed it for the present better to retain the current letter rates with the newspaper freedom of the Lower Provinces, the latter of which it would be a great hardship to abolish, while the former it would be no great boon to reduce. He thought it right to afford all classes of literature every facility possible. At present the express companies were able to compete successfully with the mail, whereas a reduction of postal charge would divert their profit into the postal revenue. With regard to the Savings Bank measure, it must be considered that the deposits for which it was designed were now principally held by the banks to whom the proposed measure presented a continuance of the previous hostility of the course of legislation through the session, and the great difficulty of obtaining suitable Postmasters was also a considerable objection. It was not fair that they should be asked at the last moment to legislate so hastily on a measure of such importance. He regretted to find no provision made for exemption of Sunday-school publications, to whose usefulness he paid a high tribute of acknowledgment.

**Mr. Gibbs**, remarking that he had not yet had time to read the Bill, thought that the encouragement of Government Savings Bank deposits would not interfere with existing bank interests to so great an extent as had been anticipated, unless it were intended that the amount of deposit should go without limitation.

**Mr. Harrison** hoped that this limitation would be fixed at \$200. He did not think the exemption of these savings from liability to seizure for debt necessary to the utility of the scheme, thinking that it would open a road to dishonest dealing. He would prefer to see the five cent rate retained for letters, and permit newspapers to go free, penetrating as they did where little other forms of instruction made their way.

**Mr. D. A. McDonald** agreed in approving the establishment of Government Savings Banks, and the permission to newspapers to go free, even if necessary at the expense of letters. The imposition of any charge upon them would be very distasteful to the Lower Provinces, with which it was most desirable that we should endeavour to work in harmony. Referring to the lateness at which the proposition had been introduced he hoped that the Government would allow it to stand over until they met again after adjournment.

**Mr. Beatty**, referring to the remarks of the honourable member for Lambton, could not approve of any discrimination being made between such periodicals as he had spoken of, and any other description of publications. People who desired to propagate their peculiar religious opinions should be allowed to do so at their own expense.

**Mr. Chamberlin** from his personal connection with the press felt some delicacy in speaking upon the question, but thought that a strong case had been made out in favour of a free carriage of newspapers. The only argument upon the other side had been the impropriety of making distinction between this Government carriage and the work performed by any ordinary carriers. So far as it went he admitted the justice of this argument, but there was another light in which the matter might be viewed, and he asked if having admitted the propriety of making large grants for general education, it would not be right to afford encouragement to those organs that contribute most to the political education of the people. Education was a necessity, and ignorance a danger to the commonwealth. Sneer at newspaper literature as we would, speak as we might of its want of information upon a subject on which it professed to give instruction—it still remained a fact that the country owed much to its teaching. One of his constituents had remarked to him that it would be better to take away some of the school aid than to forbid newspapers to go free, and that it was certain that more useful instruction was given by many newspapers than by many schools. (Sir John A. Macdonald. By the advertisements?) Yes, even by the advertisements, which if the honourable minister were in the habit of reading he would gain much information as to what was going on in the world, likely to be very useful to him as a public man. (Much laughter.) The representatives of the Lower Provinces who had left us had to take home with them many measures distasteful to their constituencies, and it might do much to bind them harmoniously together, if on the first day of the session we were to send them down one small remission of taxation. (Hear, hear.) There was one other consideration upon which he was unwilling to dwell too far. Whether for good or for evil newspapers were an influence, and were we to give cause for irritation we might find that irritation spreading among the people whom they teach, and even the animosity of the

Lower Provinces beginning to entertain doubt whether Confederation had brought them all the blessings it had promised.

**Mr. Jones (Leeds)**, thought that people who took newspapers could better afford to pay tax upon them than many of those who paid tax upon the necessities of life. A man who took a newspaper that supported the Government and one in opposition, could not tell which was right. Many newspapers in the United States promoted immorality, and these were sent into Canada.

**Mr. Morris** asked how much postage our newspapers would realize.

**Sir John A. Macdonald** replied that the revenue was \$90,000 per annum; but they expected to realize \$125,000 when it extended over the Dominion.

**Hon. T. D. McGee**, regretting that even upon one point he should be compelled to differ with the Government, characterized the impost upon newspapers as a tax upon the dissemination of public intelligence. There was no civilized Government of the world that paid so little for the dissemination of intelligence as the Government of the Dominion. Apart from the school grant, which was an investment expected to yield profitable return, there was, excepting the appropriation for geological survey, scarcely one item of public disbursement for literary or scientific objects. It was even doubtful whether the geological survey would be maintained, except for the practical mineralogical results which it was looked to yield. The grants to Mechanics' Institutes had been withdrawn, and there remained but some paltry subsidies to scientific institutions on account of meteorological observations. There was no encouragement whatever to a literary class, wherein we compared disadvantageously with England, where no public expenditure meets such general approval as that from the Literary Fund to men who have spent their brains in the service of the people. The total of the assistance occasionally granted to the press would not half support one respectable journal. This tax on public intelligence of \$125,000 or \$130,000 would do the public mind an injury in its acceptance by the irritable genius of editors as the result of Confederation. It would altogether fail to touch the objectionable United States publications, which the last speaker had referred to. The New York Ledger for example, with its blood and thunder romances, which had a large Canadian circulation could come on in

packages by express, and thus escape the imposition altogether. He approved of the suggestion of the honourable member for Lambton, to exempt publications of moral instruction, in which, however, he would not wish to include merely sectarian organs, it being unfortunately notorious that if a particularly bitter and unchristian thing were denied to be said, it was necessary to go to a religious paper for it. The tax was paid most unequally, the large newspapers being able to distribute their circulation by express, while the smaller proprietors would be compelled to use the post. It was a tax upon a form of knowledge most essential to the people—the knowledge of what was going on here. There was never a time when such knowledge was of greater importance to the country, and he could wish every newspaper reader in these Provinces to exchange his newspaper with a correspondent in a distant district of the Dominion, by which a mutual accommodation, a better understanding and acquaintance would spring up between Maritime and Western fellow-subjects, to the great advantage of the whole community. On these public grounds, and not from his old and cherished associations with the journalistic profession—associations which he was happy still to some degree maintaining—he was opposed to the principle of the seventh resolution.

The House then went into Committee of the Whole upon the resolutions.

In Committee,

**Mr. Ferguson** agreed in favour of making prepayment of postage on newspapers compulsory. He also thought a slight stamp duty on newspapers would be preferable to postage, as in that case all readers would be taxed equally. Under present regulations people living in cities and towns received most of their papers by railway, and so escaped paying postage.

The resolutions were then passed through committee.

#### AFTER RECESS

**Sir John** moved concurrence in the resolutions.

The first six resolutions were concurred in.

The seventh resolution being read—

**Mr. Chamberlin** moved that it be not concurred in. He thought that revenue derived from newspaper postage was over-estimated. The postage on newspapers sent from offices of publication would not amount during the coming year to more than \$60,000.

**Mr. Ross (Dundas)** would be glad to see the postage on newspapers abolished; but if the Government thought that it was necessary for sake of revenue to retain it, he would feel bound to support them. He hoped, however, Government would yield to the wish of the House, and let this resolution lie over till next part of the session.

**Sir John A. Macdonald** said that it should be remembered that these resolutions proposed to reduce postage on letters from 5¢ to 3¢ in the whole Dominion, and also reduce on newspapers as regards Ontario and Quebec. If the resolution was withdrawn, these Provinces would have to pay the old postage of 26¢ on weekly papers, and the Lower Provinces would have to pay a higher rate on letters. The resolutions proposed distinct relief to all the Provinces; to Ontario and Quebec a reduction in the rate of both letters and papers, and to the Maritime Provinces on letters. It was necessary also that the Post Office Department should as far as possible be self-sustaining. If this source of revenue was removed, it would be impossible for that Department to grant facilities in way of opening up new post offices which the progress of the country demanded. Of course, people would like to get their papers free of postage; but Government had in this instance, in interest of public service, to resist popular feeling.

**Mr. McDonald (Glengarry)** said that Government ought to leave this measure over till next session. Newspaper postage was a most disagreeable tax to people on account of the condition of the currency. If revenue was required why not put 4¢ on letters, which would make up the loss occasioned by free newspaper postage?

**Mr. Mackenzie** moved that the 7th resolution be not now concurred in, but that its further consideration be postponed till the 12th March next.

**Dr. Tupper** regretted that the Government had concluded, in case this resolution was defeated, to abandon the whole Bill. He was not prepared to assume the responsibility of either continuing an unequal system of taxation in the Dominion, or preventing the proposed reduction on letter postage. Under these circumstances he would feel it his duty to vote against the resolution of the honourable member for Lambton.

**Mr. Mackenzie** said he had moved his motion, because he thought it unfair that such an important measure should be passed

in the absence of a large number of members from the Maritime Provinces who were well known to be opposed to it. He did not move absolutely against the measure, but merely that it may be postponed to give time for proper consideration.

**Mr. Jackson** thought it was necessary that the Post Office Department should be self-sustaining, and he therefore saw no reason why those who enjoyed newspapers should not pay for their carriage.

**Mr. Savary** said that it was very injudicious and unwise to place any check upon the free circulation of newspaper literature. The change proposed was a most unfortunate one to the Maritime Provinces. For years in those Provinces newspaper literature had been untaxed, and people there would look upon this measure as a retrogressive step in legislation. Many years ago this kind of tax was looked upon in Nova Scotia as one of the abuses inconsistent with advanced civilization, and they had succeeded after a struggle in abolishing it. It was most unfortunate, that at the first session of the Dominion Parliament this measure should be passed, which would be looked upon as a retrograde step. Letters served some private interest, but the free circulation of newspapers was a public benefit. He looked upon newspapers as a good educating power, which afforded young people the opportunity of acquiring knowledge that they might not be able to get elsewhere. He regretted to see that in the press of assimilating the laws, the old laws of Canada were generally adopted, while the laws of the Maritime Provinces were set aside.

**Mr. Mills** said if he had to make a choice between retaining the small amount charged upon newspapers or reduction upon letters, he would prefer the latter. Letter writing was as much a means of educating a community as newspapers; for a man's mind could never be thoroughly disciplined on a subject upon which he has never written. He did not think newspaper men had anything to complain of,

because the charge fell upon those who purchased them, and not upon those who produced them. He had no objection to meeting the wishes of the Maritime Provinces by leaving the question in abeyance, but would only do it as a matter of expediting business.

**Mr. Chamberlin**, by calculation, showed that the loss to revenue by abolishing the tax upon newspapers would only be \$13,400 if they retained it upon letters. He did not think they should impose this tax upon the Maritime Provinces in order to raise that amount in the Dominion.

The amendment was then negatived. **Yeas, 22; Nays, 40.**

**Mr. Bodwell** moved that the Bill be referred back to the Committee in order that the 7th section be struck out and the following substituted—that newspapers printed and published in Canada and sent to regular subscribers in Canada be mailed free.

**Mr. Jones (Leeds)** said that they could not afford to abolish newspaper postage, as they were going to pay \$20,000,000 to build the Intercolonial Railway, and also to purchase the North-West Territory.

The motion was then put, when upon a division there appeared—**Yeas, 23; Nays, 36.**

The remainder of the resolutions were concurred in without division.

On the motion of **Sir John A. Macdonald** the Bill for the Regulation of the Postal Service, from the Senate, was read a second time and referred to Committee of the Whole, with the resolutions, which were reported with amendments.

#### PETITIONS

**Hon. Mr. Dunkin** moved that the time for receiving Petitions be extended to April 2nd.

The second report of the Committee on Printing Bills was adopted.

The House adjourned at 11:25 to meet at 10:30 tomorrow.

## HOUSE OF COMMONS

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**Saturday, December 21, 1867**

The Speaker took the Chair at half past ten o'clock, no business being before the House.

At eleven o'clock the Governor-General proceeded in State to the Chamber of the Senate in the Parliament building. 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, the following Bills were assented to, in Her Majesty's name, by His Excellency, the Governor-General:—

Act relating to the Indemnity to members and the Salaries of the Speakers of both Houses of Parliament.

Act respecting the office of Speaker of the House of Commons of the Dominion of Canada.

Act respecting the Statutes of Canada.

Act to authorize the apprehension and detention of such persons as shall be suspected of committing acts of hostility, or conspiring against Her Majesty's person and Government.

Act to amend the Act of Incorporation of the Commercial Bank of Canada, to authorize its amalgamation with any other Bank or Banks, or for its winding up.

Act to amend the Grand Trunk Arrangements Act of 1862, and for other purposes.

Act to amend and consolidate the several Acts incorporating and relating to the Canadian Inland Steam Navigation Company, and change its corporate name to that of the Canadian Navigation Company, and for other purposes.

Act to incorporate the St. Lawrence and Ottawa Railway Company.

Act for the settlement of the affairs of the Bank of Upper Canada.

Act respecting the Customs.

Act respecting the Inland Revenue.

Act respecting the Public Works of Canada.

Act respecting the collection and management of the revenue, the auditors of public accounts, and the liability of public accountants.

Act to protect the inhabitants of Canada against lawless aggression from subjects of foreign countries at peace with Her Majesty.

Act to prevent the unlawful training of persons to the use of arms and the practice of military evolutions, and to authorize Justices of the Peace to seize and detain arms collected or kept for purposes dangerous to the public peace.

Act to impose duties on promissory notes and Bills of Exchange.

Act for granting to Her Majesty a certain sum of money required for defraying the expenses of the public service not otherwise provided for, for the period therein mentioned, for certain purposes respecting the public debt, and for raising money on the credit of the Consolidated Revenue Fund.

Act respecting banks.

Act respecting the construction of the Intercolonial Railway.

Act imposing duties of customs, with the tariff of duties payable under it.

Act for the regulation of the Postal Service.

Parliament then adjourned till the 12th of March.

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## HOUSE OF COMMONS

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Thursday, March 12, 1868

The Speaker took the Chair at three o'clock.

### NEW MEMBER FOR MONTMORENCY

**Mr. Langlois**, the newly elected member for Montmorency, was introduced by **Hon. Mr. Langevin** and **Mr. Simard**, and took his seat.

### ELECTION PETITIONS—RESTIGOUCHE ELECTION

The Speaker informed the House that he had examined recognizances to the election petitions relating to St. Hyacinthe, Joliette, Montreal East, and Argenteuil, and found them unobjectionable; also, that he had issued a writ during the recess for a new election for Restigouche, in room of the Hon. John McMillan, who had accepted an office and resigned his seat, which writ was not yet returned.

### THE LAMIRANDE CASE

**Hon. Mr. Langevin** presented a number of returns to addresses. One of these consisted of the papers in the Lamirande case. He stated that among these would be found the opinions of the law officers of the Crown, in the case, which were brought down with their own consent, and it was not desired that this should be considered a precedent.

### NOTICES OF MOTION

Were then called, but none were proceeded with.

**Sir John A. Macdonald** said that on account of the thinness of House (not above 70 members being present) he would not ask the Orders to be called. He then moved that the House adjourn.

The House at a quarter past three adjourned till to-morrow at 3 o'clock.

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## HOUSE OF COMMONS

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Friday, March 13, 1868

The Speaker took the Chair at 3 o'clock.

### ROBINSON ROUTE

Several petitions were presented praying for the adoption of the Robinson route for the Intercolonial Railroad.

### HAMILTON AND PORT DOVER ROAD

Hon. Mr. Langevin presented the return of the Engineer's Reports relative to the Hamilton and Port Dover Road; also, a return of the number of officers in the Customs Department, their salaries, etc.

### GOVERNMENT BILLS

Sir John A. Macdonald gave notice of the introduction on Tuesday, of Bills respecting the treaty between Her Majesty and the United States for the apprehension of offenders—respecting penitentiaries—respecting trial of controverted elections—respecting the continuance of Parliament notwithstanding the demise of the Crown.

Hon. Mr. Rose gave notice of Bills respecting currency—geological survey—establishment of consolidated revenue fund—insurance companies—civil service, and to enable certain banks in any part of Canada to use notes of Dominion instead of issuing notes of their own.

Hon. Mr. Cartier gave notice of a Bill respecting Railways.

### KAMOURASKA ELECTION

Hon. Mr. Dorion said the petition of Mr. Chapais, Minister of Agriculture, claiming a seat in this House for Kamouraska, had been referred to the General Election Committee. That gentleman had now been sworn in as a member of the Senate, and he thought the order of reference should be discharged.

Sir John A. Macdonald said if the matter was allowed to stand over till Monday, he would give it his attention.

Sir John A. Macdonald said it was not the intention of the Government to ask the House to proceed with any measure to-day. They would commence to work on Monday, and proceed *de die in diem*. They wished the benefit of the experience of the member for Chateaugay, (Hon. Mr. Holton) and would not take any advantage of him in his present state—(laughter); as he observed he was labouring under severe hoarseness. He moved that the House do now adjourn.

Mr. Mackenzie asked the Premier what arrangement, if any, had been made for filling the vacancy caused by the death of the late President of the Council, whose decease they all very much lamented.

Sir John A. Macdonald said the whole policy of the Government, as to the number of departments, etc., would be explained when the Bills relating thereto were brought before the House.

Mr. Mackenzie said the House would also expect explanations as to the position of a gentleman who failed to obtain a seat in this House, but still held his seat in the Cabinet as Secretary of State for the Provinces, and whose office the Premier in the early part of the session stated would be abolished. The House had been told that on account of the pressure of business, it was desirable to retain him for a time in office. Did the pressure still continue?

Sir John A. Macdonald said the whole question of the number of departments, with a due regard to the efficiency of the service, would shortly be brought before the House. The Secretary of State for the Provinces had resigned his office, but had been asked to continue, on account of the exceptional circumstances which existed and the pressure of business.

The House then adjourned till Monday, having sat for only 16 minutes.



## HOUSE OF COMMONS

Monday, March 16, 1868

The Speaker took the Chair at three o'clock.

### INTERCOLONIAL RAILWAY

Several petitions were presented (in French and English), praying for the adoption of Major Robinson's route, their number and unanimity creating some amusement and applause.

### CROWN LANDS DEPARTMENT

In reply to **Mr. Jones**, who asked whether the Government has dispensed with the services of the officials who had been connected with the sale and management of the Ordinance Lands and Indian Lands before these lands were transferred to the Department of the Secretary of State, and what saving in the cost of management has been effected by the change.

**Hon. Mr. Langevin** said, that in the reorganization of the Department every care has been taken to secure as much economy as was consistent with efficiency, and that in consequence the services of ten or eleven clerks, some temporary and some permanent, and of two messengers, had been dispensed with, and a saving thereby effected of little less than \$9,000 yearly.

### INTERCOLONIAL RAILWAY

**Mr. F. Jones** asked whether it is the intention of the Government to proceed with the construction of the Intercolonial Railway while Nova Scotia, through her Legislature, persists in the Repeal of the Union: if so, whether it is the intention of the Government to have the Eastern terminus of the said road at or near Truro, to connect with the road to Halifax, in accordance with the provision of the Imperial Act authorizing a guarantee of interest on a loan to be raised by Canada towards the construction of a railway connecting Quebec and Halifax?

**Sir John A. Macdonald** replied, that it was the intention of the Government to proceed to carry out in good faith the undertak-

ing which had been already agreed upon between Canada and the Maritime Provinces and the Imperial Government, and which was, in fact, part of the constitution of the Dominion. The railway would have its Eastern terminus at or near Truro. The honourable Minister added, in reply to **Mr. Mackenzie**, that the Government had not yet decided upon the route of the line, but expected to be able to do so shortly.

### RECIPROCITY TREATY

**Mr. Bourassa** asked whether, since the 1st July last, any and if any, what steps have been taken to obtain the renewal of the Reciprocity Treaty with the United States; and whether it is the intention of the Government to enter into negotiations on that subject with the Imperial Government, or with the American Government.

**Hon. Mr. Rose** replied that no formal steps had been taken with this object, but that the Government were fully sensible of its importance, and would not neglect any effort to promote the interests of the people in that direction.

### NEW BRUNSWICK REVENUE

An address, moved by the **Hon. Mr. Connell**, and seconded by **Mr. Wallace**, was carried for a statement of the moneys in the hands of the late Provincial Treasurer of New Brunswick on the first day of July last; and also a statement of moneys received into the Treasury of New Brunswick account from 1st July to 31st December.

### EAST MIDDLESEX ELECTION

**Mr. Mackenzie** moved to refer the petition of John Nixon and other electors of East Middlesex, complaining of the violation of the law by the clerk and deputy returning officer of the township of London, during last election, to the Committee on Privileges and Elections.

**Sir John A. Macdonald**—State what are the allegations.

**Mr. Mackenzie**—Complaint was made, in the first place, that the Clerk of the Township—who also happened to be one of the candidates at the recent election—had placed on the roll a large number of names of parties who were not entitled to vote. The complaint was made in the regular way before the County Judge, who struck some eighty names off the list; but the Deputy Returning Officer, in defiance of the statute, admitted the parties thus struck off to vote.

**Sir John A. Macdonald**—There is no petition affecting the seat of the sitting member.

**Mr. Mackenzie**—No.

**Sir John A. Macdonald**—It is only against the conduct of the Returning Officers; I think the motion is a fair one.

The motion was then agreed to.

#### ABDUCTION OF ALLAN MACDONALD

**Mr. Mackenzie** moved an address for correspondence regarding the abduction of Allan Macdonald from the Township of Moore by United States officials. He said he had observed, within the last week or so, a statement in the public prints that this case had been decided by the United States Government, repudiating the action of their officials, and that the British Minister at Washington while accepting the apology made, had declined to accept the release of the prisoner, on the ground that he had violated the revenue law, and that the apology offered was all that was desired by the British Government. He (**Mr. Mackenzie**) could scarcely believe that the representative of Her Majesty at Washington, could deliberately have chosen to return a British subject to a U.S. prison for what, though an offence against society, was not usually regarded as a criminal act. He moved for the correspondence to ascertain how far these statements were correct.

**Sir John A. Macdonald**—Will you allow the motion to stand till to-morrow?

**Mr. Mackenzie**—Certainly.

The motion accordingly stood over.

#### INTERCOLONIAL RAILWAY

**Mr. Jones (North Leeds)** moved an address for all correspondence with the Government, respecting the location and construction of the Intercolonial Railway, since the 3rd December, 1867.

**Sir John A. Macdonald**—Will my honourable friend let that stand till to-morrow?

**Hon. Mr. Holton** thought there could be no harm in having just now a little discussion on the question raised by this motion. He confessed he was somewhat surprised when, a few minutes ago, the Premier informed the Member for Lambton that the Government had not yet determined the location of the Intercolonial Railroad. He recollected well when in December they were urged to give immediate passage to the Intercolonial Railway Act. The urgency of the Government was based specially on the obligation they were under in good faith to the British Government, and the Lower Provinces, to determine and submit to the Imperial Government the route to be pursued by that railway. And now they found themselves at the end of three months without this preliminary step having been taken. He thought the leader of the Government should take this, the earliest, opportunity of giving the House and the country the fullest possible explanation as to the reasons which had led to this extraordinary and unexpected delay.

**Mr. Jones (Leeds)** said the general feeling of the Province of Ontario, so far as he had been able to ascertain it, was this—that the Intercolonial Railway was undertaken only as one of the conditions of the Union with the Maritime Provinces, and that if the Union was not to last, it would be wrong to carry out this condition, and incur an expense of twenty-five million dollars, one half of which the people of Ontario would pay without deriving any advantage, directly or indirectly, from the construction of the road. He considered that if Nova Scotia went out of the Union, the compact would be broken, and the obligation to construct the Intercolonial would no longer be binding, although he agreed that if the Union continued the railway should be built.

**Sir John A. Macdonald** said, though unfortunately there was a feeling of dissatisfaction displayed in the Province of Nova Scotia, with regard to the Union or the mode in which it was carried, there was no reason for not proceeding with the construction of the Intercolonial. Such a step would be a justification and excuse for increasing the dissatisfaction of Nova Scotia. The Government—and he was sure the people of old Canada and New Brunswick—deeply regretted that the feeling should exist; but they would fain hope and believe that as they

became better acquainted with each other, that dissatisfaction would decrease, and that the suspicion of wrong which had obtained would be diminished by justice and equity being exercised by this Parliament towards every portion of the Dominion, and that before long the feeling of dissatisfaction would disappear, and that all would be satisfied to be united in one Dominion, under one Parliament, as they were now, loyally united under one Queen. His honourable friend must see that it would not be the best mode of arriving at this conclusion to deal with the question of proceeding with the Intercolonial as one still open for discussion. He could appreciate the feelings of some of the people of Nova Scotia. It had always been the case with such Unions at the commencement that they had been accompanied by a considerable feeling of dissatisfaction. The majority of the people of Scotland at the time of the Union with England were exceedingly dissatisfied with the measure, and it was only by the perseverance of the British Government in a course of equity and justice, and kindness, and generosity to the people of Scotland that at last, though by slow degrees, and after very many years, the people of Scotland became reconciled to the loss of their ancient independence; and not the least prosperous part of Her Majesty's Dominions was the ancient Kingdom of Scotland, and her sons were found everywhere in positions of trust, a much wider field for their ambitions being now open to them than if Scotland had remained a separate country. He trusted to see the same result with regard to Nova Scotia, although he hoped the period of its dissatisfaction would not be so long protracted as in the case of Scotland. Meanwhile he thought in the highest degree undesirable that they should contemplate as a possibility so great a misfortune happening as would be the severance from this Dominion of one of its Provinces, and it was quite clear that if the other Provinces repudiated the obligation they voluntarily undertook as to the contribution of the railway, it would be a justification to Nova Scotia to continue the agitation with greater intensity, on account of the breach of faith with which they would be able to charge us. He considered it to be the duty of the Parliament and Government of Canada to carry out to the letter and in the spirit every promise they had made, and then there would be no justification, looking at it from our point of view, in the desire of any portion of the people of Nova Scotia to secede from the Union. With reference to the re-

marks of his honourable friend the member for Chateaugay, he denied there had been any breach of faith in postponing the decision as to the route. The Imperial Act required that within six months of the Union preparations for the construction of the road should be made, and this Parliament had fulfilled that obligation by passing the necessary legislation during the first part of this session. As regarded the route, he had stated that this Government would decide upon a line or lines, and submit them to the Home Government, the question had occupied the anxious attention of this Government, both on account of the importance of the work and from the fear of the occurrence of any mistake, which if once committed could never be repaired. The matter also was one with regard to which there was a great diversity of local interest, and local feelings, and the Government had been overwhelmed with pamphlets and newspapers, and communications pressing upon them the arguments in favour of one route or the other. These had to be carefully weighed before a final decision was come to. He might say, that a majority of the members of the Government had felt that they had not information enough, and further information was being obtained at this moment by competent engineers.

**Mr. F. Jones** disclaimed any desire to assist the dismemberment of the Confederation, but pointed out that the case of Scotland, quoted by the Hon. Premier, did not furnish a parallel, Scotland having no Local Government left her by the Union, which was not Federal, but Legislative, and not therefore being capable of the united remonstrance which had proceeded from the Nova Scotian Chambers. As a member of the House, he was justified in reference to facts which were perfectly notorious, and regarding the expenditure of this enormous sum of money as an integral part of the Confederation bargain, he could not consent to its appropriation, if the Confederation was not to be perpetual.

**Hon. Mr. Cartier** was quite prepared to agree that Ontario was the most wealthy and most prosperous of the Provinces, but she was for that reason the one most interested in the possession of the road. (Mr. Blake, No! No!) The honourable member said No! but he was not speaking to convert him. (Laughter.) Ontario was more interested than any other Province in seeing the opening of this outlet to the sea. Her prosperity was liable to be ruined to-morrow by the caprice of Mr.

McCullough, who might, if he desired it, by mere customs regulation, deprive her of the advantage of the bonding system, and of American transit. The opening of the Intercolonial Railway will relieve them from dependence upon the goodwill of any Secretary of the United States Treasury, who would not be disposed to force the whole of their traffic to run in other channels. He threw out these considerations for the benefit of the honourable member (Mr. Blake) in the hope that he would bestow upon them all the attention of which his great grasp of mind, his luminous intellect, and his anxiety for the welfare of his great Province were so well capable. (Laughter.)

**Mr. Connell**, who was very imperfectly heard, was understood to contend that the construction of the Intercolonial must be proceeded with as an act of justice to New Brunswick, to which the building of that railway was as much a condition of the Union as it was to Nova Scotia.

**Mr. Stewart Campbell**, as one of the representatives of Nova Scotia, did not regret this discussion. He believed the disaffection unhappily existing in Nova Scotia would be allayed, when it was understood there that that disaffection had been brought up to this Parliament as a reason why the Intercolonial Railway should not be proceeded with. There was no question in which the people of Nova Scotia took a deeper interest than in the construction of this great work. As one of the representatives of Nova Scotia he had entire confidence in the Government that they would discharge their duty in this matter with as much expedition as was consistent with a proper location of the line.

**Mr. Blake** pointed out that the Imperial Act did not require, as the Premier had stated, that the Act of this Parliament should be passed within six months of the Union, but that they should pass an Act for the commencement of the road within six months, and its construction without intermission, and completion with all practicable speed. He did not think the Government had carried out the duty imposed on them, either in its letter or spirit.

**Sir John A. Macdonald** said he would leave to grammarians the question as to the precise construction of the sentences referred to. He would say, however, that in point of fact something had actually been done in New Brunswick towards the construction of the road.

[Mr. Cartier (Montreal East).]

**Mr. Mackenzie** said, whatever difference of opinion there might be as to the grammatical construction of the sentence of the Act which had been quoted, there could be no difference as to the statement of the Government in the early part of the session, that it was absolutely necessary then to pass the Bill. When some gentlemen required further time for discussion and consideration, the Government urged that the immediate passage of the Bill was necessary, not merely in order to comply with the letter of the law, but to enable them to make a commencement; and it was chiefly for this reason that the Bill was hurried through, he thought without sufficient consideration, by this House. That was one of the reasons assigned for refusing members a vote as to the location of the railway. He thought there must be some other reason than the Premier had alleged for delaying the decision as to that question.

**Hon. Mr. Holton**—What can it be? (Laughter).

The motion was then allowed to stand until to-morrow.

#### BANK SHAREHOLDERS

**Mr. Mackenzie** moved for a return of the shareholders in the several banks of the Dominion. Carried.

#### INTERCOLONIAL RAILWAY

**Mr. Mackenzie** moved an address calling for the names of the Engineers appointed in connection with the Intercolonial Railway; the instructions issued with regard to the survey of the routes and other particulars respecting the instructions given such Engineers. Carried.

**Hon. Mr. Holton** said the leader of the Government had previously announced that the minority of his colleagues desired more information on this subject before acquiescing in the decision of the majority, and as the Government had acquiesced in the last motion, it followed that those Engineers had been appointed to get the very information required by the minority to enable them to come to a conclusion. It would, he thought, be desirable to supplement the information made by the leader of the Government a little while ago by informing the House as to the character of the information which the minority desired, the extent of it, the time likely to be consumed in obtaining it, and when it might be



reasonably expected the Government would be in a position to determine the location of this road.

**Sir John A. Macdonald** hoped honourable gentlemen opposite would allow the Government to proceed with due deliberation and caution in this matter. (Laughter).

### DOMINION STOCK

**Hon. Mr. Holton** moved that a statement be laid before the House showing the amount of Dominion stock sold, the names of the purchasers, and the rates obtained, and showing also from whom, for what amount, and at what rates unaccepted tenders were received.

**Hon. Mr. Rose** did not think it would be wise to publish the names of those whose tenders had not been accepted.

**Hon. Mr. Holton** did not want the return at all, unless it included the rejected offers. He thought the honourable gentleman managing the finances was bound to render Parliament a full statement in relation to this stock.

**Hon. Mr. Rose** argued that there would be strong objections in the country to publishing, on every occasion, the names of those holding this stock, and there would be still more objection to publishing the names of such as had made offers which were not accepted. It would be extremely ill advised to inquire into the private affairs of individuals unless there was a politic object for doing so. He knew that the names of bank shareholders were published, but for the very obvious reason that they were liable to the public for double the amount of their stock in the bank, and hence the necessity for the publication of their names, with the amount of stock held by each; but the holders of the Dominion stock held it as a person might hold mortgages or other form of security, and their private business should not be published. The rule was a good one, that Parliament should not pry into the affairs of individuals or corporations, unless it was necessary for the public interest. With the exception he had noted he had no objection to the motion.

**Hon. Mr. Holton** inquired what was the English practice with regard to public loans. His impression was that such returns as now asked for were made.

**Hon. Mr. Rose** quoted from Parliamentary practice to show that even to ask the names

of persons holding stock such as this Dominion stock, was held to be a most unusual proceeding.

**Hon. Mr. Holton** said that the statement just quoted had reference to stocks, not to loans.

**Hon. Mr. Rose** maintained that it came to the same thing. The objection was to giving to the public the names of those taking the stock.

**Hon. Mr. Holton** explained that he did not want returns of the transfers made from time to time with a view of showing the present ownership of the stock. What he wanted was a full account of the loan. It was an experiment, a successful one—one that he had had a share in sustaining as the best policy for the country; and now he desired to see fully the manner in which that loan had been carried out. If the honourable gentleman opposite persisted in his objection, he (Mr. Holton) would allow the resolution to stand as a notice of motion.

**Sir John A. Macdonald** said that to obtain the names of the present stockholders and publish them would be an undue and uncalled for interference with private rights. It was quite clear to him that it would be wrong, as he felt it would to give the names of the owners of Dominion stock, on 16th March, it was equally wrong to give the names of the owners on the 29th January. The evil would be the same in the one case as in the other, and one result of it would inevitably be that people would be prevented from investing in this fund. The mover had in his (Sir John's) opinion made out no case, and he could not see what advantage the motion would be to any one unless to satisfy the curiosity of somebody.

**Hon. Mr. Holton** still believed it to be of importance that the information sought should be obtained, and he hoped it would not be refused. The country wanted to know how this loan had been managed. There was some inquiry for instance as to whether an extensive monetary institution in the country had not made an offer for a large amount of stock at a considerable discount in the first place, and subsequently agreed to take it at par or something like it. The fullest information was in fact desirable, and so far from feeling himself bound to make out a case, he thought honourable gentlemen opposing it were bound to make out their case. The resolution was ultimately allowed to stand as a notice of motion.

**STRATHROY POSTMASTER**

**Mr. Mackenzie** moved an address for copies of correspondence regarding the appointment of Mr. Soon as Postmaster of Strathroy, and his dismissal from that office. Carried.

**ANNUAL DRILL FOR 1867**

**Mr. Pope** moved an address for copies of correspondence between the Volunteer officers and Adjutant-General or Assistant Adjutant-General, respecting the Annual Drill for 1867.

**Hon. Mr. Cartier** said the Government had no objection to this motion, and all correspondence on the subject would be given to the House. He might state that before long the volunteer force would resume their drill as formerly. In reference to a question formerly asked by the honourable member on the same subject, the Government were not in a position to answer until the vote of credit had been passed by the House in the first part of the session.

**Mr. Pope** accepted the explanation as satisfactory. On a former occasion, when he had inquired as to whether the volunteers would be called on to drill this year, he had been curtly answered by the Government that they had the matter under consideration. As he had made the enquiry in the interest of the volunteers, he thought the same information just given might have been given at the outset. As the object of the motion had been answered, he would now withdraw it.

**Hon. Mr. Cartier**, in reply, stated that his remark, as noted by the member for Compton, had been wrongly interpreted. No other answer could have been given at that period, and no discourtesy whatever was intended.

**Mr. Ross (Prince Edward)** expressed his satisfaction with the Government statement regarding the volunteers.

The motion was then withdrawn.

**LATE ELECTIONS**

**Mr. Blake** moved an address for copies of all warrants, orders, etc. connected with the issue of the writs for the late elections for Huntingdon, Montmorency and Restigouche. Carried.

**Mr. Blake** also moved that an order of this House do issue for copies of all the orders, etc. for the late elections in the above named constituencies. Carried.

**THE NORTH-WEST TERRITORY**

**Hon. Mr. Holton** inquired whether any answer had been received from the Imperial authorities to the Address of both Houses of the Canadian Parliament on the subject of the annexation of the North-West Territory to the Dominion. The Address framed in the terms of the Union Act had left the country about three months ago, and he took it that in that period some communication relative to it must have been received by the Government of the Dominion. He could not imagine the Imperial Government would treat both Houses of the Canadian Parliament with so much contempt as to withhold for so long a period an answer to a communication of such importance.

**Sir John A. Macdonald** said it was not very convenient for the Government to reply without notice to questions such as this. If a notice had been put in the paper calling for the information, Government would feel bound to have furnished every information they could on the subject.

**Hon. Mr. Holton** said it struck him that in reference to so grave a matter as an Address from both Houses of Parliament, Ministers of the Crown ought to voluntarily supply information at the earliest possible moment. It seemed to him that it would have been improper to move for a return in relation to an address of both Houses of Parliament to the throne. He took it for granted that Ministers had used due diligence in forwarding the address. Had any correspondence on the subject been received?

**Sir John A. Macdonald** said the Address had been forwarded and would not, he was quite sure, be treated with contempt. Such an address would be sure to receive at the hands of Her Majesty's advisers all the courtesy and attention uniformly extended to every Province connected with the Empire. Therefore, there was no fear on that hand. As to the Government of the Dominion, he did not admit that it was their duty to have arisen of their own accord and made the statement asked for. Now that the inquiry had been made, he could inform his honourable friend that there had been no answer to the address as yet. This had, the Government believed, been caused by the impossibility almost of holding a meeting of the English Cabinet, in consequence of the illness of Earl Derby; but there was no doubt that the wish

of the people of Canada, as expressed through their representatives, would not be unattended to.

**Mr. Mackenzie** said that the question was also asked whether there had been any correspondence on the subject between the two Governments.

**Sir John A. Macdonald** could only say in reply that the Address had been sent home, and there was reason to believe an answer to it would soon be received.

The subject then dropped.

**Mr. Mackenzie** rose to say that a statement had been made that a member of that House had been appointed to a seat in another branch of the Legislature. It appeared to him that that House was entitled to the first information on that subject, and that steps ought to have been taken by the Government, if the seat had been so vacated, to have the county in question represented. He would wish the Government to inform the House on the subject.

**Sir John A. Macdonald** said he had been engaged in preparing the motion for the issuing of the writ when the honourable member rose to speak. Seconded by **Hon. Mr. Cartier**, he (Sir John) would move that a writ do issue for the election of a member to represent the County of Lincoln in this Parliament in place of Mr. J. R. Benson, who has been appointed a member of the Senate. Carried.

The House then adjourned.

#### NOTICES OF MOTION

The following notices of motion have been given:—

**Mr. Mills**—That the members of the several Local Legislatures be supplied with copies of papers and documents of the Dominion Parliament.

**Mr. Chamberlin**—Address for copies of all instructions issued by His Excellency to the Lieutenant-Governors of the Provinces in the Dominion.

**Mr. Masson (Terrebonne)**—Copies of all correspondence between the Imperial Government and the Government of the late Province of Canada since February, 1863, on the colonial military expenditure and military defence of the late Province of Canada;

and between the Imperial Government and that of the Dominion since July 1st, 1861, on the same subject.

**Dr. Parker**—Address for copies of any representations addressed to His Excellency by members of this House, respecting the mark of Royal favour which Her Majesty has been pleased to confer on them, and of all despatches on the same subject to and from Her Majesty's Principal Secretary of State for the Colonies.

**Mr. McCarthy**—Address for the return of steamboat inspectors in Quebec and Ontario, names, duties and salaries; number of vessels inspected by each, and their tonnage; the contingent expenses paid by the Government to the said inspectors; the whole from 1865 to the present date.

**Mr. Mills**—For copies of all correspondence between the Government of the late Province of Canada and Great Britain, and the present Government of Canada and Great Britain, with a view to claiming cooperation from the Government of the United States for property destroyed in Canada by the hands of marauders, publicly armed and organized in the United States.

**Mr. Mills**—For copies of correspondence between the Government of Canada and the States with reference to the rendition of the leaders of the Fenian invaders of Canada.

**Mr. Mills**—For copies of all correspondence between the Canadian Government and Secretary of State for the Colonies, or other of Her Majesty's Ministers, with reference to the acquisition by Canada of the North-West Territory and Prince Rupert's Land, since 1st December last.

**Mr. Blanchet**—Inquiry whether it is the intention of the Government to replace the steamer *Victoria*, lost when returning from Havana more than a year ago, and to rebuild the steamer *Advance*, of which the services are required for placing and removing buoys, and for conveying supplies to the lighthouses in the Lower St. Lawrence and the Gulf.

**Hon. Mr. Holton**—That a statement be laid before the House showing the amount of Dominion stock sold, the names of the purchasers, and the rates obtained, and showing also from whom, for what amounts, and at what rates unaccepted tenders were received.

**Mr. Connell**—Address for the names and number of Post and Way Offices in New Brunswick, stating the counties separately, the number of offices in each county authorized to sell internal revenue stamps on the 1st March last.

**Mr. Connell**—Inquiry whether an Act to impose duties on promissory notes and bills of exchange, assented to December 21, 1867, is construed to impose a duty on notes and bills of exchange under the sum of \$24.

**Mr. Pope**—For a special committee to inquire into and report on the best means of protecting hemlock timber from the destruction caused by those manufacturing extract of hemlock bark; for a return showing the amount of legal tender redeemed in gold during the first twelve months of their circulation; inquiry whether it is the intention of the Government to continue to allow the formation of military organization within the Dominion for the defence of foreign powers.

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## HOUSE OF COMMONS

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Tuesday, March 17, 1868

The Speaker took the Chair at 3 o'clock.

### ELECTION PETITIONS

Mr. Speaker intimated that he had examined the recognizances of the election petitions with reference to Berthier, Verchères and Hochelaga, and found them unobjectionable.

Mr. Speaker read a letter from **Hon. J. C. Chapais**, stating that he had accepted a seat in the Senate, and withdrew his petition claiming a seat in the House for Kamouraska.

**Mr. Walsh** moved that order referring said petition to General Elections Committee be discharged. Carried.

**Hon. Mr. Dorion** asked if Government would immediately have a writ issued for a new election.

**Sir John A. Macdonald** said he would state the course Government intended to take. He would move to-morrow that the petition be referred to the Standing Committee on Petitions and Elections, with instructions to investigate the matter, but he would consult the member for Hochelaga before making the motion.

**Hon. Mr. Dorion** could not see the object of such a reference, when there was no pretense now that there was an election at all. It might be proper to have an investigation to ascertain who were the guilty parties, if any; but he saw no reason for delaying the writ unless Government was prepared to say some legislation was necessary with respect to that county.

**Sir John** said the question whether there should be legislation was an aspect of the case which he thought the House should consider.

### PRINTING COMMITTEE'S REPORT

**Mr. Mackenzie** presented the report of the Printing Committee, recommending the printing of various papers, and also that one copy of all the documents of this Parliament be

sent to all the members of the Local Legislature in both branches. He moved that the reports be adopted. Carried.

### INDEPENDENCE OF PARLIAMENT

**Sir John A. Macdonald** gave notice that on Friday he would introduce a Bill for securing the Independence of Parliament; also a Bill respecting provisions of both Houses of Parliament and members thereof.

### INTERCOLONIAL RAILWAY

**Mr. Jones (North Leeds)** moved an address for all correspondence, reports, etc. respecting location and construction of the Intercolonial Railway since 3rd December, 1867. Carried.

### NORTH-WEST TERRITORY

**Mr. Jones (North Leeds)** moved an address for all correspondence had with the Government respecting the North-West Territory, including British Columbia, since 5th December, 1867.

**Hon. Mr. Holton**, who seconded the motion, said he understood yesterday from the Leader of the Government that there had been no reply yet received to the address of the two Houses of Parliament on this subject. As Government, however, assented to this address, he assumed there had been some correspondence, but if there was no reply from the Home Government, it couldn't be of much consequence.

**Sir John A. Macdonald** said there had been no correspondence with the Home Government, except the despatch transmitting the address of both Houses; and the only other papers which could be sent down related to the desire of British Columbia to be admitted into the Union. As soon as the answer from the Home Government came, it would be brought down without delay.

**Hon. Mr. Holton** doubted whether the limit fixed in the address, 5th December, was correct.

**Sir John A. Macdonald**—You seconded it.

**Hon. Mr. Holton** said he was always willing to oblige a neighbour, but it was not to be supposed that the Government had invited both branches of the Legislature to take so important a step as to pass an address on which the annexation of that immense region to this country was to be founded, without having had some previous correspondence with the Imperial authorities. He thought it was the papers which led the Government to adopt the course which they invited Parliament to take in December. He was afraid he would have no results whatever on that question during the present year. His own conviction was that the Address was a delusive proceeding—that the Minister of Public Works having made certain declarations during the electoral campaign in Upper Canada—which declarations could hardly be made good by the facts—had felt himself constrained, in order to sustain his position before the country, to do anything, and that that something was the Address which he moved without having reached the stage in the negotiations which would have justified him or his colleagues to study that course. His conviction was strong that a settlement of the question was as far from attainment now as it was six months ago, when the honourable gentleman made these declarations.

**Mr. Jones** said the reason why he had limited the Address to the period since 5th December, was that the answer to a similar address was brought on that date.

**Sir John A. Macdonald** hoped the mover and seconder would settle between themselves what their motion should be.

**Dr. Parker** said when Government introduced the address respecting the North-West Territory, the ground they alleged for urgency was that important State reasons required the measure to be proceeded with immediately. If there were important State reasons which applied to this Dominion, they ought to be communicated to this House. If it was meant that they were important state reasons, applying only to the Imperial Government, then the delay which had occurred in answering the address would seem to falsify the assertion. If any correspondence had taken place between the Government and the Hudson's Bay Company, he wished to inquire whether that correspondence would be brought down under this address.

**Sir John A. Macdonald** said the Government would send down all the correspondence they had in their hands to send. Did the

honourable gentleman who had just spoken wish to have a vote of censure passed on the Imperial Government for not answering the address sooner?

**Dr. Parker**—We will begin with your Government first.

**Mr. Mackenzie** said since there had been no correspondence, it was gratifying at least to know that there had been no unfavourable response to the address of this Parliament, for the impression somehow had gone abroad that something unfavourable had occurred. He hoped when the despatch which accompanied the address was brought down, it would be such as to justify the House in believing that the Government had earnestly pushed forward the measure which they had carried with such urgency through Parliament, and that it was not merely a temporary political exigency, as had been suggested by the member for Chateauguay, which led to the adoption of that course. The Minister of Public Works, who was not generally a very imaginative individual, did indulge in some very extravagant flights of imagination on this subject during last election, at some of the meetings at which he (Mr. Mackenzie) was present. That honourable gentleman told the people that he was gratified to be able to inform them that the Union with some of the other colonies was a matter not of months but of weeks. He (Mr. Mackenzie) had waited patiently for the correspondence with those colonies which would have justified that statement, but had waited in vain. It appeared to be a myth, like many other assertions of that honourable gentleman during his canvass. He regretted the delay which had occurred in answering the address, and hoped this Government was not a party to it; but certainly matters had not that satisfactory appearance which he would desire as an ardent friend of the Union of the British Provinces.

**Hon. Mr. Holton** said he must admit that he was not previously aware of the fact that all the correspondence respecting the North-West, up to 5th December, was already before the House.

**Sir John A. Macdonald**—Neither was I. (Laughter).

**Hon. Mr. Holton** said he was sure no correspondence had been submitted to the House setting forth the terms and conditions under which the North-West Territory was to be obtained by this country; and if all the

correspondence to 5th December had been brought down, then the Government stood convicted of having moved the address without having any proper basis for it whatever.

**Hon. Mr. McDougall** said the position taken by the member for Chateaugay seemed to be this—that the Government should have entered into some kind of negotiations, secret or otherwise, in order to ascertain beforehand what special terms and conditions ought to be adopted in bringing this Territory under the jurisdiction of the Government of this country. The Government had taken a different view, the Union Act declaring that the North-West Territory might be handed over to the jurisdiction of Canada on such terms and conditions as should be expressed in the address of the two Houses of Parliament. The Government assumed that, in pursuance of that Act, what they had to do was to ascertain for themselves the terms and conditions on which they would accept the Territory, and having got the assent of both Houses to these terms, they forwarded the address to the Home Government, and now awaited their answer. An honourable gentleman opposite thought this Government was censurable, because no answer was yet received. Surely they were not to settle both sides of the contract. If the Imperial Government and Parliament had other terms and conditions to propose, we would have to pronounce upon them when presented to us. As regarded the delay, they hoped and expected that probably the next mail would bring the answer of the Imperial Government. The House knew that in England the Premier had retired, and another had taken his place, and necessarily delays and changes of policy would occur. This might account for some of the delay in answering the address, which he confessed he very much regretted. He did think there were high reasons of State why this question should be settled at the earliest moment; he thought so still, and he must say there had been no failure of duty on the part of this Government in urging the matter. As regarded what he had said during the last election, one could not be expected to stand by all the pictures of imagination which might be drawn during the heat of an election contest. (Laughter). He would say, however, that in Newfoundland there were several gentlemen occupying prominent positions, who took part in the negotiations of 1864, and who were still anxious that that Colony should enter the Union. It was well known what views were expressed by the Governor of New-

foundland, when recently in this country, and the newspapers of the last few weeks showed that there was a desire prevailing among a large portion of the people of that Colony to join their fortunes with ours. As regarded British Columbia, at a public meeting presided over by the Mayor of Victoria, resolutions in favour of Union were passed, and similar resolutions had previously been passed unanimously, he believed, by the Legislature. He thought, therefore, he had been justified in assuming, with overtures of this kind from the other Colonies, that the Union would soon be extended. Delays had occurred, but he believed that in a short time we would have formal proceedings, which would be a basis for action, and the extension of the Union, therefore, he looked upon as no myth.

**Mr. Mackenzie** pointed out that the visit of the Governor of Newfoundland and the action taken in British Columbia were subsequent to the speeches made by the Minister of Public Works to which he had referred. He was happy to believe that there was a desire for Union among a large proportion of the population of these colonies, but such unauthorized statements as those of the Minister of Public Works, admitted to have been made without any foundation, were calculated to do more harm than good, by raising hopes which must be disappointed to a greater or lesser extent.

**Sir John A. Macdonald** said the Minister of Public Works had not meant it to be inferred that the expressions used by the Governor of Newfoundland and the resolutions passed in British Columbia were the only indications the Government had had of a prospect of Union with those Colonies. He could assure the House they had had frequent communication of a very important nature, all tending in the direction of an extension of the Union long before these indications. They had had no official communications. The member for Lambton must know, or no doubt as a member of the Government would soon know, that official communications conveyed results, and that the most important portion of the public business was transacted by being made matter of arrangements and discussion in an unofficial form before the results were communicated in official documents. His honourable friend was quite justified in stating he had reason to believe that Confederation would, ere long, be extended East and West.

**Mr. Savary** said this discussion gave him a favourable opportunity of making a remark which he thought it his duty to make on

taking his seat. He desired to protest that his taking his seat should not be considered as any assent to Confederation of the Province of Nova Scotia with Canada, until its legality was fairly tested. (Hear, hear, and laughter). He made this observation on behalf of 16 members representing Nova Scotia in this House. It was well known that a delegation had gone to England constitutionally representing the people of Nova Scotia, to request the consent of the British Government to the repeal of a Union carried in defiance of the wishes and contrary to the interests of that Province. With the objects of that delegation he believed at least 16 members of this House from Nova Scotia out of 19, were in cordial sympathy, and any part they might take in the deliberations of this House had only the more fully satisfied him ought to be carried out in the interests of the people of Nova Scotia.

**Mr. Mills** said when this question was formerly before the House, he took exception to the reactions because they proposed to establish in the North-West Territory a Government that would be subordinate to the Government of Canada, which he considered would be a violation of the Federal principle recognized in the Union Act. He had considered it essential that the Government to be established should occupy the same position as the Governments of the Provinces already within the Union, or of those still to be admitted, and should derive its powers, not from the Federal Government, but from some independent source. He inferred from what had been stated by the honourable gentleman opposite, that exception had been taken to the address of this Parliament, and that had been intimated to the Government that it would be necessary to provide for local self-government in the North-West Territory as in the other portions of the Dominion.

**Hon. Mr. McDougall** said nothing he had stated justified such an inference.

**Mr. Blake** said he entirely concurred in the view expressed by the member for Bothwell, and he denied that the address stated any terms or conditions of Union at all, with the exception of the reservation of the legal rights of certain persons and corporations which had of course to be reserved. The proposal of the address was on unconditional transfer, giving us absolute power over the territory and making it subordinate to us in the same way as we are subordinate to the Empire. This was the logical meaning of the address. It was on this ground that his

[Mr. Savary (Digby).]

honourable friend from Bothwell, his honourable friend from Chateauguay, and himself had fought against it, but they had been told that was the form in which the Imperial Government would probably be disposed to give them the territory. He did not believe that the Imperial Government would be disposed to sanction anything of the kind, so as to make that country a dependency.

The motion was then agreed to.

#### ABDUCTION OF ALLAN MACDONALD

**Mr. Mackenzie** moved an address for correspondence regarding the abduction of Allan Macdonald from the township of Moore by United States officials. In doing so, he said he hoped the Minister of Justice was not in a position to state whether the report in the newspapers, to which he had referred yesterday, was true or false—that after the United States authorities had admitted the illegality of the proceedings of their officials, the British Minister at Washington had declined to accept the release of the prisoner, who had been improperly abducted from British territory.

**Sir John A. Macdonald** said the papers would be brought down. He was bound to say the answer given by the British Minister at Washington to Secretary Seward was what had been stated, that without having communicated with the Government of Canada, he had stated that he would not ask for the liberation of the party under the circumstances. The papers in this case had been sent by him to the Government of the Dominion. He had been greatly surprised to learn that the person illegally abducted had been allowed to be retained in the United States without being sent back to Canada. It was due to the House and the country to have some explanations of the extraordinary and unprecedented conduct of the British Minister at Washington. (Hear, hear.) We should not permit any British Minister to take upon himself to say he would surrender the rights and liberties of a British subject, whom the American authorities had no right to detain. (Hear, hear.)

The motion was then carried.

#### POSTMASTERS

**Mr. Mackenzie** moved for copies of letters addressed to Postmasters in the County of Lambton by the Post Office Inspector at London, and of letters or instructions from the Department of the Postmaster General to



the Inspector at London, having reference to the conduct of such Inspectors or Postmasters in his division at the late general election. Carried.

**Mr. Mackenzie** moved for documents as to the charges preferred against Mr. Harrison, Postmaster of Oil Springs. Carried.

**Mr. Mackenzie** moved for documents as to the charges preferred against Mr. Kimball, Postmaster at Wilkesport. Carried.

### PARLIAMENT

**Sir John A. Macdonald** introduced a Bill providing that Parliament should not be dissolved by the demise of the Crown. Second reading ordered for Friday.

### EXTRADITION TREATY

**Sir John A. Macdonald** introduced a Bill for the extension of the Extradition Treaty. It was, he explained, known to honourable members that the Ashburton Treaty provided, and the Imperial Act affecting the Treaty provided, that the Imperial Act should remain in force in all the colonies until Colonial Acts had been passed, giving effect to the Treaty; and where such Acts were satisfactory to the Imperial Government, that then such Colonies should be governed by the Colonial and not by the Imperial Act. Such an Act had been adopted by Canada, and was now on the statute book. In Nova Scotia and New Brunswick the Imperial Act alone applied, and its working there had been found to be in a great degree prejudicial. The United States, in giving effect to the Imperial Act, provided at once a most comprehensive measure, with easy machinery to work out the Treaty, and the Government of Canada subsequently adopted an Act almost similar. As the measure remained in Nova Scotia and New Brunswick, it was not so well adapted to meet the desired end as the United States or Canadian measures. Whenever a felon fled from Nova Scotia, for instance, to the United States, there had to be an application to the latter Government for his surrender. That application had to be considered, and an answer returned, and all this time the felon was at large, under no restraint. A month or two would be spent in this way, much to the hindrance of justice. If such a felon fled from Canada, it was provided by the United States that on information on oath, before certain officers specified in the Act of Congress, the man should be arrested, and held for two months if necessary, in order to allow time

for an application from the Canadian Government to the British Ambassador at Washington to obtain the rendition of the criminal. The object of the present Bill was to extend the provisions of the Act of the Province of Canada to the whole Dominion.

**Mr. Blake** suggested that it would be well to extend the Act in another way, so as to make it applicable to certain classes of criminals not now included. Such an extension was much needed, and might even include larceny. To show that the provisions of the present Act were defective he need only cite a recent and very important case.

**Hon. Mr. Cartier** said it was quite right that some provisions should be made of the nature alluded to by the member for West Durham. The objection which had been urged against including larceny among extraditable offences was that under it the Slaves from the South might be claimed; their taking refuge in Canada might have been construed into running away with their clothes. With regard to the celebrated case to which allusion had been made, he would inform the honourable gentleman that there was no Provincial law with respect to the extradition of parties between France and England. That extradition took place under Imperial legislation.

**Mr. Blake**—Then perhaps, if it were necessary, representation might be made to the Imperial Government on that as well as the other subjects alluded to.

**Sir John A. Macdonald** said the subject of extradition at present occupied the attention of the Imperial Government, and no doubt something would be done to extend the bounds of the Act.

The Bill was then read a first time, and the second reading was ordered for Friday.

### THE CURRENCY

**Hon. Mr. Rose** introduced an Act respecting the currency. The House he presumed was aware that the existing currency in Nova Scotia was different from that throughout the rest of the Dominion. The pound sterling in Nova Scotia was equal to five dollars of Nova Scotia money, gold and each English shilling was worth one quarter of a dollar or twenty-five cents. The object of the present measure was to assimilate the currency of the Dominion. At present great inconvenience was felt every day with reference to postal arrangements, stamps on promissory notes and bills of exchange, and collection on internal

revenue. The Government of the Dominion had to consider their best course under the circumstances. At the outset, the currency in Nova Scotia presented very considerable attraction on account of its simplicity. On the other hand, they felt the difficulty of making the currency equal to the standard value of the United States. Fortunately, the Government was relieved from the embarrassment of making a choice between the two courses. The adoption of the Nova Scotia currency would have necessitated great changes in the whole of the Canadian Provinces. But as the House was aware, a Congress of all the great powers of Europe and those of the United States also, took place at Paris last year. They adopted certain resolutions with the view of assimilating the currency of all civilized nations. A basis of agreement had then, he was happy to say, been almost unanimously adopted. The standard they agreed to was that the 25 franc gold piece, new coin, should be adopted by France, and that it should be equal to the English sovereign and to the \$5 piece of the United States. Following up this, the United States Government introduced a Bill which had the effect of reducing the five dollar piece, and bringing it down to a level with the 25 franc piece, thus bringing it within a fraction of the value of the English sovereign. This Bill brings down the American \$5 piece to about 24 below the English sovereign, so that the English sovereign, 25f piece, and \$5 piece would be of equal value. If that measure became law, the new currency would be within a fraction the same as that now existing in Nova Scotia. There was very little doubt but England would follow the action of France. For the Dominion there must also be some currency. It would be inconvenient to bring their friends from Nova Scotia up to the American standard, with the probability of reducing that standard again, and taking it back almost to the same level as at present prevailed in Nova Scotia. The only course that seemed open to the Government was that which they had adopted, to bring in a Bill in a double shape. In the event of England and the United States not carrying out the recommendations agreed to in Paris, then part No. 1 of the Bill, bringing the Nova Scotia standard up to the present standard of the United States and Canada, would be put in force by proclamation. But if the recommendations were carried out by the United States and England, then part No. 2 would be put in force, which adapted the currency of Canada to that now prevailing in Nova Scotia, and which would

[Mr. Rose (Huntingdon).]

then prevail in the United States. These were the main provisions of his Bill.

**Mr. F. Jones** had no objection to the assimilation of the currency, but thought at the same time that the currency, like the tariff, ought not to be interfered with annually. He had some doubts as to how this double-headed Bill would work.

**Mr. Blake**—The Bill deals entirely with the question of the value of coin.

**Hon. Mr. Rose**—Entirely.

**Hon. Mr. Holton** would like to inquire of the member introducing the Bill whether it contained the provisions foreshadowed in the early part of the session respecting what was known as the silver nuisance. The honourable gentleman had expected a great result from his fifteen per cent and intimated that a very comprehensive policy would be introduced at a subsequent period of the session. It was to be supposed that he was launching the rest of his scheme that day, and the country had a good deal of interest in knowing what the honourable gentleman intended doing to abate the silver nuisance, or whether he proposed to deal with it at all in this Bill.

**Hon. Mr. Rose** said that that nuisance was being already checked. One of the most lucrative sources of the business done by the express companies in carrying silver was already, the Government were aware, put a stop to; and now the Government would be able to ascertain the quantity in the country, and deal with the "nuisance", as it was termed.

**Mr. Young** inquired, in connection with the subject of currency, whether the notes of the Province of Nova Scotia were not redeemable here?

**Hon. Mr. Rose**—Unquestionably; these are obligations of the Dominion, and are redeemable in Halifax or anywhere in Canada in coin.

**Mr. Young** cited an instance in which a gentleman in Canada found he could not exchange these notes for anything whatever, though application had been made to some of the banks in the West.

**Mr. Morris** inquired whether in the Bill power was taken to issue coinage for the Dominion.

**Hon. Mr. Rose**—No special power is taken for that. There was power to do so already.

The Bill was ordered for a second reading on Friday.

### GEOLOGICAL SURVEY

**Hon. Mr. Rose** moved a resolution appropriating thirty thousand dollars for five years towards the geological survey of the Dominion. The object, he explained, was to provide for a geological survey for all parts of the Dominion. Now the House was aware Sir W. Logan had charge of the survey of Canada for many years, and there seemed latterly to be some doubts as to whether his advanced age might not prevent the completion of the great work in which he had been engaged. But he (Mr. Rose) was happy to say that Sir William Logan had agreed, almost as a labour of love, to undertake the prosecution of it from Halifax up to the extreme Western section. He was making arrangements to secure the best assistance possible to carry on this great work to the satisfaction of the Maritime Provinces and the Dominion generally, and in such a way as would be worthy of one of the ablest geologists of the age.

**Mr. Mackenzie** inquired what was meant by the extreme West.

**Hon. Mr. Rose**—The extreme Western limits of the Dominion.

**Hon. Mr. McGee** thought this matter ought to be viewed with interest by gentlemen from Nova Scotia opposite. He hoped the member from Digby, for instance, would not rise to protest against this infraction of the independence of Nova Scotia, by our extending our geological researches down there. (Laughter). Two desperate attempts had been made on the independence of Nova Scotia that day; one for the assimilation of her currency with that of the Dominion; the other to enable us to pry into her mineral riches. (Laughter). He hoped the House would continue its legislation in the same friendly spirits, and show the people of Nova Scotia that even though every member of their delegation was absent, their interests would be cared for, and that when temporary passion passed it would be found that no act of injustice would be done to the people of that Province.

### BILL RESPECTING RAILWAYS

**Hon. Mr. Cartier** introduced a Bill respecting railways. This Bill contained principally the railroad clauses of the Consolidation Act, but modified in such a way as to suit the existing state of things. The intention was merely to legislate *in futuro*. It only affected railways hereafter to be incorporated; but there was a clause enacting that each provi-

sion should be applicable to the Intercolonial Railway.

Second reading ordered for Friday.

### CONTROVERTED ELECTIONS

**Sir John A. Macdonald** introduced a Bill respecting controverted elections. The law on this point differed in the several Provinces of the Dominion. New Brunswick still held to the old practice, obtaining formerly in England of trial by the House. New Brunswick had been a step further, and adopted a measure between the Colonial Act and the Grenville Act; Canada had had for some years the alterations made in the Imperial Parliament, after many years experience of the Grenville Act; the Grenville Act had been found to be a great step towards the independence of Parliament. Yet it was found susceptible of great improvement. When this Act had been in force some years the Election Committee was reduced from the inconvenient number of eleven to five under the old system. When he first went into Parliament he found the first and nearly all the second session lost for effective legislation, in consequence of nearly every member being employed from morning till night in election committees. Before making any important changes in the measure in force in the late Province of Canada, it would, he thought, be well to wait the result of legislation in England on this point. Whatever new Acts were adopted in England would be pretty certain to have a fair trial in 1869, when a general election was looked for. But in the meantime it was not necessary there should be three different tribunals for the trial of these cases, but the cheapest and shortest mode of settling them should be adopted. He would move the first reading; and before sitting down, would take the opportunity of saying that it was not the intention of the Government to submit for the consideration of the House during the present session, any Act respecting the qualifications of electors. The Parliament was only in its first session, had got along very happily, there was no immediate prospect of a dissolution, and therefore there was no special hurry concerning the subject of the qualifications of electors. When a measure of the kind is introduced, it ought to be such a reform Bill as would occupy the attention of Commons during the whole session. Another reason why to measure on the subject would be introduced this session, was because a Bill on Assessment had been introduced in Ontario at the first session of the local Parliament, and was under consideration, and he

could not but congratulate the Premier of that Province on the successful and able manner in which he had conducted its affairs. Well, a measure on Assessment had been introduced into that Legislature, and obviously all the Legislation of the Dominion respecting that Province would be rendered nugatory by the adoption there of an assessment which in the opinion of the House, might not effect a basis for proper qualification.

**Mr. Ferguson** said that the Legislature of Ontario had the subject of the franchise before them, but came to the conclusion to defer it in order to allow the Federal Legislature to fix a uniform franchise, and when that was done it would be easy for Ontario to follow the example. He had no doubt whatever of the passage of an Assessment Law by the Ontario Legislature next year, and it would be well for the Government of the Dominion to consider what was the proper franchise.

**Hon. J. S. Macdonald** said that the desire to await the action of the Federal Legislature had been among the reasons causing the delay of the measure in Ontario; but they could now go on and deal with that subject in advance of legislation by the Dominion.

**Mr. Mackenzie** did not see what the Assessment Law of Ontario had to do with the matter at all.

**Mr. Blake** said it was quite true Ontario had the subject under consideration, but had postponed it, principally because the Dominion Government promised to deal with it. Mr. Blake observed that the Legislature of Ontario had been told that they must wait for the action of the Central Government, and that the House was now told that they must wait for the action of the Local Government. The extremely delicate consideration of the two Premiers for each other reminded him of a celebrated couplet which told how

"Lord Chatham with his rapier drawn  
Stood waiting for Sir William Strahan.  
Sir William, longing to be at him,  
Stood waiting for the Earl of Chatham."

(Much laughter). The honourable leader of the Government opposite spoke too of a "Reform Bill." (Hear and laughter.) It was the first time that word had been heard from those lips. (Hear.) It was all very well to be prepared for contingencies; but if, as that gentleman argued, there was so little prospect of any immediate necessity for an election law, then, on the same ground, there was equally little necessity for passing immediate-

ly a law regarding controverted elections. He (Mr. Blake) thought that if a system could be devised to remove the trial of controverted elections from the arena of that House altogether, it would be far better for the independence of Parliament.

The second reading was ordered for Friday.

**Hon. Mr. Holton** said it was very generally understood in political circles, that the honourable member for Cumberland (Dr. Tupper) had left for England on an important public mission from the Government of the country. It was also understood that the member for Sherbrooke had been also invited to go on that mission, but had declined. He thought the Government should furnish some information on the point.

**Sir John A. Macdonald**—Quite right in making inquiry, but said he couldn't reply at once as the papers on the subject were not before him, but would bring them down tomorrow. (Laughter).

**Hon. Mr. Holton**—I did not ask for papers.

**Sir John A. Macdonald**—The Government will give all the information asked for tomorrow, and any papers there may be relative to the action of the member for Sherbrooke.

**Hon. Mr. Holton** thought it satisfactory to have the papers, but it would be more satisfactory to have that explanation at once, which Government might readily give. But since the honourable gentleman wouldn't tell the House, he (Mr. Holton) would give the version he had heard of Dr. Tupper's trip to England. (Laughter). It was believed Dr. Tupper was sent to England to counteract the Hon. Mr. Howe and the deputation from Nova Scotia, and the member for Sherbrooke hesitated to accompany Dr. Tupper, not believing him to be a fitting man for a mission of that nature. If Dr. Tupper had really been sent on a mission of that kind, the Government had, in his (Mr. Holton's) opinion, taken a step so unwise that he shrunk from characterizing it. He regarded it as little short of insanity to send to England on that mission a man standing in the position that he did to the people of his own Province.

**Sir John A. Macdonald** thought that the honourable member might restrain his curiosity until the papers were brought down, when he would see if the Government had acted so unwisely there was at least method in his madness.

Upon the motion of **Sir J. A. Macdonald** the House then adjourned at twelve minutes to six.

## HOUSE OF COMMONS

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Wednesday, March 18, 1868

The Speaker took the Chair at 3 o'clock.

### NAVIGATION

In reply to **Mr. Blanchet**,

**Hon. Mr. McDougall** stated it was not the intention of the Government to replace the steamer "Victoria", which was lost, or to rebuild the steamer "Advance". The service of placing and removing buoys, etc., would be performed by other means.

### STAMP ACT

**Mr. Connell** inquired of the Government whether the Stamp Act was construed to impose a duty on notes, etc., under the sum of \$25.

**Hon. Mr. Rose** said it was the province of the Government to construe the Act, and it would be improper for them to answer the question.

### PETITIONS FOR THE ROBINSON ROUTE

The question being put on receiving a number of petitions praying the selection of Robinson's route for the Intercolonial Railway.

**Dr. Parker** said the petitioners appeared to labour under the misapprehension that this question was still at the disposal of the House, whereas the House had vested the Government with the right to decide the route. He had no desire to abridge the right of petition; but these petitions, under the circumstances, appeared unnecessary, and he desired to know what the Government proposed to do with them.

**Hon. Mr. Cartier** said the duties and responsibilities of the Government to the selection of a route could not interfere with the right of any portion of the community, or of any individual in the Dominion, to address the House by petition.

**Hon. Mr. Holton** said the Minister of Militia had no doubt laid down the law correctly as to the right of petition, but what signified that right if no action was to be

taken on the petition when received? He differed a little, however, from his friend the member for Wellington Centre, as to the position of this question. Though the House had vested the Government with the right to select the route, it was still competent for the House to repeal the law, or to advise and instruct the Executive as to what they should do, and to vote want of confidence in them if they made an improper selection or failed to make a selection at all. There was perfect unanimity on this subject in that portion of the Dominion from which he (Mr. Holton) came, and which the Minister of Militia specially represented as a leading member of the Government, and he thought that honourable gentleman owed it to his own people to treat their petitions with some degree of courtesy.

**Hon. Mr. Cartier** said he entirely agreed in the view taken by his honourable friend as to Ministerial responsibilities as to these petitions. After being read they were before the House, and it would be competent for any member at any time to move what action upon them he thought proper.

**Hon. John Sandfield Macdonald** said the public outside had a very earnest anxiety as to what was to be the route of the Intercolonial Railway. He desired that speedy action should be taken, and would suggest to the member for Chateauguay that he should move for a committee to whom all these petitions should be referred, and of which he (Mr. Holton) should be Chairman. That committee could report a route and arrive at an understanding with the Government on the subject.

**Hon. Mr. Holton** said, if the honourable member made this suggestion with the approval of his friends on the other side, and if they assented to such a reference to a committee, he (Mr. Holton) would be willing to make the motion, and not as Chairman.

**Hon. John Sandfield Macdonald** said he had no friends (laughter)—let the gentleman make his motion, and he would, at all events, have the satisfaction of knowing that he had made an effort to show the people of Lower Canada that he was sincere in his anxiety to have the route settled. So far as he (Mr.

Sandfield Macdonald) was concerned, he would give the honourable gentleman his support in endeavouring to bring the matter to an issue.

The petitions were then received.

#### GOVERNMENT EMPLOYEES

**Mr. Connell** moved to refer the return to an address for names and salaries of officers and employees of the Government and Legislature, etc., to a select committee consisting of Messrs. Langevin, J. S. Macdonald, Mackenzie, Young, Gibbs, Blanchet, Pope, O'Connor, Stuart, Campbell, Burpee and the mover.

**Hon. Mr. Langevin** said the question of duties and salaries of the officers of the Government Departments was now under the consideration of the Government, and they had brought in a Bill to regulate it. As regarded the duties and salaries of officers of the House, that matter had been taken up by the Contingencies Committee. Both branches of the subject would therefore be dealt with, and he thought the appointment of another committee unnecessary. He hoped the motion would be withdrawn.

**Mr. Young** said he had seconded the motion with much pleasure. As regarded the Contingencies Committee, he found there was a feeling abroad that that Committee was not likely to make any important move in the direction of economy. The Secretary of State was Chairman of that Committee. With all deference to that gentleman, he thought it would have been better if a member of the Government, who was a servant of this House just as much as its other officers, had not been Chairman of such a Committee. He thought the House should follow the good example which had been set by the Senate in taking measures to cut down its expenses. He was not one of those who believed that parsimony was economy, nor would he reduce the number or pay of officers, if he thought the doing so would injure the efficiency of the public service. But he did think there was room for retrenchment in the service of this House, which at present employed about 140 officers, with salaries amounting to somewhere about \$100,000. The House had most excellent officers, and in some cases he believed their salaries were too low, but he thought such a Committee as that proposed if it set earnestly about the work of reviewing the expenditure of this House and of the Civil Service, might do a great deal of good.

[Mr. John S. Macdonald (Cornwall).]

Last year the Civil Service cost \$536,000 of which \$375,000 were for salaries, and \$161,000 for contingencies. He found also that there had been a steady increase in the cost of the Civil Service. In one year, in 1867, it had increased no less than \$75,000, as compared with 1866. He thought it must have pleased the House to see on the list of the committee the name of a gentleman who, as Premier of Ontario, had distinguished himself by the decided way on which he had carried out economy in that Province. Though he differed from that honourable gentleman as regarded the political course he had pursued lately, he must award him every credit for the way in which he had begun the system of Government in Ontario with regard to its expenditure, and he should like to see a somewhat similar system introduced here.

**Mr. Ferguson** could not agree in the objections of the member for Waterloo to a member of the Government being Chairman of the Contingencies Committee. Indeed, if this motion carried, the name of Secretary of State was on the list of the proposed Committee, and according to the usual course he would be its Chairman. He (Mr. Ferguson) saw no necessity for a special committee. The Contingencies Committee within the last day or two had taken up the subject of dealing with the salaries and duties of officers of the House. Its members were as desirous to carry out economy as any honourable member could be, and until they showed that they were unfaithful to their duty, the House should not withdraw confidence from them.

**Mr. Blanchet** said it was very well to speak of economy, but economy did not consist in not expending money, but in spending it with discretion. (Hear, hear). There was no question but it was the duty of the Government to see that the departments were carried on with the strictest economy—that was, he believed, their aim. At present he had heard it stated that the number of employees was not in excess of the requirements, and he hoped under the circumstances that the motion would be withdrawn.

**Mr. Connell** said that in the Province from which he came there was a good deal of feeling with reference to what they called the extravagance shown in the number of Government employees appointed at Ottawa. His own impression was, that making the salaries too low was not an object. In order to secure efficient service, adequate remuneration must be offered, but unquestionably a good deal of light was needed in this whole matter, and

hence the object of desiring the appointment of this committee. This was certainly the proper time to take up the subject, and he was sorry the Government would not accede to the appointment of the Committee. He might here mention, that in looking over a return of the various offices connected with the Government, he had noticed that, except in one or two instances, there was an absence of any appointments from the Maritime Provinces, and events had gone on in that respect just as if Nova Scotia and New Brunswick had never become part and parcel of the Dominion. He put it to the House whether that was fair and just. Many of the employees were found such as could be done without. Now it was highly desirable the Administration of the Government should be such as to give satisfaction to the Maritime Provinces, and such had not been the case so far.

**Hon. Mr. Cartier** hoped the honourable member would consent to withdraw the motion. Every member of the House, no matter from what Province hailing, was actuated by the same desire and determination to do what was possible to be done toward securing economy in the public service, either connected with the House or the public departments. The mover ought to see, too, that his motion struck at a decision already come to by the House. An excellent committee had been struck to take up the subject, and the honourable gentleman wanted to annihilate that committee. He desires full inquiry also into the expenditure in the different public departments, but that would strike at the very root of the principle of responsible government. With regard to the expenditure of the House, the Government was bound to use all its influence to see that as much economy as possible was practised by the Contingencies Committee, but the Government is not directly responsible for it. It is always assumed to be a privilege of the House to manage its own expenditures. The Government would endeavour to be as economical as possible in the administration of the public departments. Honourable members were aware that already several measures were before the House connected with the constitution of the different Departments. The other day the Finance Minister introduced a Bill with reference to the civil service, and when that measure came up the salaries of the principal employees in the different Departments would be subject of discussion by the House. Again a special committee had been named already. Supposing the motion of the member

for Carlton, would not the House be justified in appointing as members of that very committee those who had been appointed before?

**Mr. F. Jones** thought his honourable friend from Carlton astray if he supposed any member of the House was opposed to retrenchment and economy. He was satisfied the people of Ontario were as thoroughly in favour of it as those in the Maritime Provinces. The people of Ontario were well satisfied that the public expenditure was increasing too rapidly. To a certain extent their whole system was wrong. When a ministry was defeated, their succession had always a number of friends, and sometimes, he was sorry to say, relations too, who had to be provided for. (Laughter).

**Hon. John Sandfield Macdonald** did not think the Government should be debarred from extending reasonable assistance to their friends. (Laughter).

**Mr. Jones** did not wish that. He much respected the Premier of Ontario, but had one little fault against him, the appointment of a successor to the Queen's Printer when the incumbent died. The Premier had a favourable opportunity for abolishing the office, but he did not do so. However, that honourable gentleman was, on the whole, a stout advocate for retrenchment, and in consequence of his economical administration of affairs in Ontario, the people would not be satisfied until they saw the public expenditures of the Dominion cut down well. True, in Ontario and Quebec there was a surplus so that no necessity existed for direct taxation at present; but one fact ought not to be lost sight of—the indebtedness of Upper and Lower Canada amounted to \$88,000,000. The amount of that indebtedness assumed by the general Government was only \$72,000,000, so that \$16,000,000 would have to be divided between Ontario and Quebec; and interest on that amount would have to be met. That had not as yet been taken into account and, if the division were according to population, probably Ontario would have to pay interest on \$8,000,000 or \$1,000,000 in addition to the expenses of local government. That would soon run away with the surplus. Hence the expenses of the General as well as the Local Government would have to be kept down, if they desired to keep within their means. The expenses were altogether too large. He found the expenses of one department last year—that relating to Ordnance land—to have been over \$7,000, although the report of the

Crown Lands Commissioner did not show that one acre of that land had been sold. Then the Indian Land Department sold last year 12,000 at an expense to the country of \$5,382 or over 42 cents per acre. These were matters which all needed to be looked into, and he was quite willing to leave these points to the Finance Committee, believing them to be as capable of sifting everything thoroughly as any committee that could be appointed. Now was the time assuredly to inaugurate retrenchment, if ever. Undoubtedly, they could never make Confederation popular by increasing the taxation on articles of consumption, and could only do so by keeping down the public expenditure in every way possible. Great sympathy had deservedly been manifested concerning the poor fishermen, but the poor farmer must not be overlooked. Agriculturists were the bone and sinew of the land, and their interests must not be overlooked, for one such farmer was of more consequence and value to the Dominion than fifty fishermen. (Loud laughter).

**Hon. Mr. Rose** hoped the motion would be withdrawn. The mover ought to be satisfied with the general expression of opinion from all parts of the House that the public service should be as economically conducted as possible, and the Government were at present endeavouring to do this. Yesterday a Bill had been introduced by them respecting the Civil Service, fixing the number of officers, salary, etc., so that the House would have it in its power to prevent the undue increase in the number of officers, or in their salaries. As to the public expenditure, he quite agreed that it was time stock should be taken, and that there should be a thorough revision of the whole expenditure, in order to see wherein a saving might be effected. In a few days there would be laid before the House a full statement of the number of employees, salaries, and general items of expenditure. These would be laid before the House, item by item, and honourable members would be able to indicate where retrenchment might be effected. There was always a good deal of expenditure which no Government, no matter who was in or out, could fully control, and they were determined that in the future the House should have under review every single shilling of expense incurred.

**Mr. McCallum** thought the House might wait till the Committee already organized had reported. He was satisfied every member of that Committee desired to reduce the expenses of the House as low as possible.

[Mr. Jones (Leeds N. and Grenville N.)]

**Hon. Mr. McGee** suggested to the member for Carleton that the matter contained in his motion should be referred to the Contingencies Committee. The motion was more comprehensive than the functions of the Committee might enable them to deal with, but they might take up such portion as fell within their duties. As to the statement of the member for Carleton about the officials connected with the Legislature, he (Mr. McGee) thought it was not deserved, and believed that the people of the Maritime Provinces were not attempted to be excluded from employment in the public service of the Dominion. There was no reason why any inhabitant of the Maritime Provinces, with proper qualifications, should not have an equal chance for employment within the Dominion as those that came from either of the older Provinces of Canada. The principle that governed the constitution of the Senate might be approximated in the distribution of the patronage of the country. One third of the Senators were from the Maritime Provinces, one third from Quebec, and one third from Ontario. Now, it might be well if in number as well as in value, as nearly as possible, one third of the employees of the Dominion should be drawn from the Maritime Provinces.

**Mr. Savary** said it was a matter of indifference to the people of Nova Scotia from what portion of the Dominion the employees of this House came. In the attitude they took with reference to this Confederation, they were actuated by higher motives. It had been said at the opening of this session that swarms of office-seekers had come up from the Maritime Provinces. This was not true as regarded Nova Scotia. As regarded New Brunswick, however, he understood there had been quite a number of office-seekers who had come to Ottawa prepared to take any office from that of Senator down to door-keeper. In coming up he saw a person on the cars from New Brunswick who, he learned, had the promise of a New Brunswick member to get an appointment for him, and in the course of the session he saw the same party fulfilling the duties of door-keeper. Rumour had it that another individual had come up on a similar promise of the office of Senator, and his application being successful he was now seated in the other branch of this Legislature. He understood also that some representatives of the press from New Brunswick had been provided for. He had been rather surprised to find that the newspapers of the Province were in so flourishing a condition as to be



able to maintain correspondents or reporters here, but on looking at the return which had been brought down, he discovered that two of these correspondents had secured employment in the House, one as a clerk at \$800 per annum, and the other as an extra writer at \$4 a day. The extra writing, he supposed, being corresponding for New Brunswick newspapers—extolling the distinguished member through whose patronage he got the position. Under such circumstances, he thought a committee such as that now proposed was very necessary. He believed there was too much extravagance, and that it was quite too easy to get positions in this House. The House, he thought, should not refuse this committee. If, at the inauguration of the Dominion, they refused to grant such an inquiry, the country would be apt to suspect that there was a good deal of corruption going on.

**Mr. Connell** said he, at all events, had made no application to Government to have any person appointed to office.

**Mr. Mackenzie** called attention to the fact that although the House had been two months in session, the Chairman of the Contingencies Committee had never made an attempt at investigation or retrenchment until he saw a notice on the paper by the member for Carleton. The Speaker, he understood, had made very few appointments, and was, no doubt, awaiting some expression of opinion from the House, and more particularly from the committee which was charged with the administrative functions of the House. He thought it unfortunate that in this first session of the Dominion Parliament, when it was so important to have the machinery of the House put on a proper footing, the committee had been so slow to move on the matter. He thought probably the wisest course would be to withdraw this motion for the present, and then, if the Contingencies Committee did not take the necessary action within a reasonable time, it could again be renewed. He trusted the result of this discussion would be to stimulate the Committee to greater activity in the discharge of the duties.

**Hon. Mr. Langevin** said the Contingencies Committee, in the early part of the session, had called for a statement to enable it to make this investigation. That statement was laid before them only four days before the House rose in December. The Committee was now ready to deal with the matter, and he thought the attack upon it by the member for

Lambton was unfair. The Committee had requested the cooperation of the Speaker, and would be called together to-morrow or on Friday.

**Mr. Young** thought the discussion which had taken place would do good. One reason why he had seconded the motion was that there was a feeling among some members of the Contingencies Committee itself that that Committee would do nothing. But this discussion had shown the existence of such a desire on both sides of the House to have a strict attention paid to economy, that he believed the effect would be to secure earnest attention to the subject by the Committee.

**Hon. J. Sandfield Macdonald** stated his opinion that, as in Ontario, the Government should assume the responsibility of fixing the number and salaries of the officers of Parliament. Let there be but one responsibility for every dollar that went out of the public chest. The members of a Contingencies Committee might desire to practice economy, but they were liable to be unduly influenced by outside pressure.

**Hon. Mr. McGee** thought the member for Cornwall laid down an extremely dangerous doctrine, when he said the Executive Government should have the control of the patronage, the salaries and appointments of officers of Parliament.

**Hon. J. S. Macdonald, Not the appointment.**

**Hon. Mr. McGee** went on to say that one dangerous result of the mode proposed by the member for Cornwall, would be to make the officers of Parliament dependent on the Executive. He (Mr. McGee) held they should be independent of the Executive. As regarded responsibility, this House, acting through one of its committees, was just as responsible to the people as the Executive Government could be.

**Mr. D. A. McDonald** thought the number of employees was as limited as he had ever known it, considering the increase in the number of members. Formerly there was not work for half the extra writers employed, but the present Speaker deserved credit for not adding unnecessarily to the staff of employees. He understood the member for Carlton was prepared to withdraw his motion, and he (Mr. McDonald) begged to move that that gentleman be added to the Contingencies Committee.

**Mr. Connell** then altered his motion so as to make it refer the returns, as far as the officers of this House were concerned, to the Contingencies Committee.

**Mr. Walsh** said in former years the Contingencies Committee had found themselves thwarted in their endeavour to secure economy. He was glad this discussion had taken place, on account of the guarantee it gave that the Committee, in any efforts they might now make, would be sustained by the House.

**Mr. Rymal** said every ten years Parliament was seized with a retrenchment fit; but, unfortunately, it never was permanent. He agreed that the Government should be held responsible for fixing the salaries. Until this was done, he was afraid the present system of having the Committee rooms and lobbies of the House crowded with nominees of members would be persisted in. For his own part, he had never asked and never received for any nominee of his own, any favours of that kind.

**Mr. Connell's** motion was then agreed to; and also the motion adding that gentleman's name to the Contingencies Committee.

#### COLONIAL DEFENCE

**Mr. Masson (Terrebonne)** moved an address for all correspondence between the Imperial Government of the late Province of Canada since February, 1863, on the subject of the colonial military expenditure and military defence of the late Province of Canada, and between the Imperial Government and that of the Dominion since 1st July, 1867, on the same subject.

**Hon. Mr. Cartier** said the Government had no objection to the motion. Indeed, it had been their intention to have laid before the House all correspondence and despatches bearing on the question of defence, in order the better to enable the House to discuss the measure which in a few days he would have the honour to introduce, with regard to the Militia and defence of the country. He would also, for purposes of comparison, have printed with these copies of the Militia Laws of the late Province of Canada, and of the Provinces of New Brunswick and Nova Scotia.

**Hon. Mr. Holton** said, assuming the House would not sit this evening, he begged to express the hope that the Leader of the Government would bring down the papers relating to the mission to England, which he had promised for to-day, immediately after the

opening of the House to-morrow, in order that if there should be no evening sitting to-morrow, members might have an opportunity of considering and commenting upon them in course of the afternoon.

**Sir John A. Macdonald** promised to meet the wishes of the honourable gentleman. As there was no business on the paper to occupy an evening sitting, he would now move the adjournment. He might take this opportunity of stating that he would, probably next week, ask another day for the Government in addition to the two days per week which they now had. Before doing so, however, he would see what amount of time would be required for the consideration of measures in the hands of members other than members of the Government.

The House adjourned at six o'clock.

#### NOTICES OF MOTION

The following notices have been given:

**Mr. Gray**—That the Report of the Prison Inspectors for the late Province of Canada be laid before the House.

**Mr. Stephenson**—Inquiry if, in framing the promised Militia Bill, Government considered the propriety of granting Crown land or pensions to volunteers as a reward for services that have been of may be rendered to the country in a military capacity.

**Mr. Stephenson**—Copies of correspondence between the Canadian and Imperial Governments in relation to the status, rights and privileges abroad of British subjects naturalized in any of the Provinces of the Dominion.

**Mr. Stephenson**—Inquiry whether Government intend introducing a measure to regulate the sale of poisons in the Dominion.

**Mr. Robitaille**—Inquiry if Ministers intend to consider the claims of contractors on the Matapedia road, and if so, when.

**Mr. Keeler**—Inquiry if, in case an export duty is imposed on timber bolts, cedar, etc., such articles exported under existing contracts, made by Canadians, will be exempt from payment of such duty.

**Mr. Mills**—Bill to amend the Act respecting the Statutes of Canada, 31, Vic., Cap. 1.

**Mr. Thompson (Haldimand)**—For a return of all moneys paid by the purchasers of the Hamilton and Port Dover road for 1867, and a statement of the account up to 31st December, 1867.

## HOUSE OF COMMONS

Thursday, March 19, 1868

The Speaker took the Chair at three o'clock.

### INTERCOLONIAL RAILWAY

Several petitions were presented praying for the adoption of Major Robinson's route for the Intercolonial Railway.

### RETURNS TO ADDRESSES

**Hon. Mr. Langevin** presented returns to several Addresses recently ordered by the House with reference to postal matters.

**Hon. C. Dunkin** called attention to the omission in the revised rules adopted by the House this Session of an addition ordered in 1865 to rule 22nd, providing that Bills referred after second reading to Committee of the Whole should be placed in the same precedence for their further stage as Bills referred to Select Committee, and with the consent of **Hon. Mr. Cartier** moved, seconded by **Hon. Mr. Holton**, the amendment of the rule by the addition of this omitted clause, which was put and carried.

### DR. TUPPER'S MISSION TO ENGLAND

**Hon. Mr. Holton** asked if the Leader of the Government was now prepared to lay before the House the papers relating to the mission of **Dr. Tupper** and the correspondence with **Mr. Galt**.

**Sir John A. Macdonald** said he would explain to the House the circumstances connected with the appointment of **Dr. Tupper** and the declination of **Mr. Galt**. The House was aware that one branch—the popular branch—of the Legislature of Nova Scotia had adopted an Address to Her Majesty, praying for repeal of the Confederation Act so far as Nova Scotia was concerned. When this address was sent by the Lieutenant-Governor to the Governor-General to be transmitted through him to the Colonial Office, the question came before this Government to consider whether they should be content to await the answer of the

Colonial Office, or whether they should have some person on the spot to give all necessary information, and to answer any of the grounds of accession which might be pressed on the Imperial Government. The Government thought it would prejudice the cause they had so much at heart if there was any unnecessary delay in the answer of the Imperial Government to the address, in consequence of the Colonial Secretary, from the absence of information on the spot, having to communicate with the Government of Canada before a final answer was given. Any such delay they considered would be prejudicial to the interests of all concerned, of the Dominion as well as of Nova Scotia, by disturbing the working of the legislative machine here, and throwing discredit generally upon the Confederation. They also hoped that if, after calm consideration, the Home Government could not see any ground to rescind the recent legislation on the subject of Union, perhaps the people of Nova Scotia would accept loyally and frankly that answer, and adapting themselves to the circumstances of the case, would join the rest of the Dominion by legislation and administration of affairs to forward the common interest of all. They, therefore, thought it wise and prudent to send to England some person fully informed of all the facts. They thought it inexpedient to send a member of the Government, chiefly for the reason that from such a step it might be inferred that the Government of Canada acquiesced that repeal of the Union was a subject for discussion. They had come to the conclusion that the right person to send would be the member for Cumberland. He regretted to see statements in the press that the selection of **Dr. Tupper** might be construed as an act of hostility to Nova Scotia. He had only to say that the Government had made that selection in no spirit of hostility. The member for Cumberland was chiefly responsible, as head of the local administration, for the resolutions of the Legislature of Nova Scotia which formed the ground for the passage of the Union Act in the Imperial Parliament. The address for the repeal of the Act of Union proceeded from the Nova Scotia point of view, and could only be answered

in all its details from a Nova Scotia point of view. They had thought it also an act of justice to the member for Cumberland, whose personal honour and veracity were attacked, that he should be in England to vindicate his course. The Government had asked the member for Sherbrooke if he would join with the member for Cumberland in that mission. If he had accepted the appointment there would have been associated with Dr. Tupper a very able man, fully acquainted with all the circumstances at issue from the Nova Scotia point of view, and also able to speak to the Colonial Office from the Dominion point of view. He much regretted that Mr. Galt declined to go, giving as his reason that he could not hope to be of much service by going with Dr. Tupper, whose selection might be construed as being in opposition to the feelings of the people of Nova Scotia. They endeavoured to combat this view, but he was sorry to say Mr. Galt persisted in it. They did not, however, on this account consider themselves justified in withdrawing the confidence they had formerly reposed in the member for Cumberland, whom they looked upon as peculiarly suited for the mission, being better acquainted than any other man that could be suggested with the whole facts of relating to the question, so far as regarded Nova Scotia, and being as well acquainted as any other could be with the facts from a Dominion point of view. He would not in any way come into collision with the Nova Scotia delegates. They had no authority to treat with him, and his mission would be exclusively to the Colonial Office; that if called upon, he might give information on any points on which it might be required. Sir John A. Macdonald then read the Order-in-Council and Mr. Galt's letter:

On a memorandum, dated 12th March, 1868, from the honourable the Minister of Justice, stating that having had under consideration the action of the Local Legislature of Nova Scotia in sending to England a deputation for the purpose of pressing upon Her Majesty's Government the necessity of repealing the Union Act, so far as Nova Scotia is concerned, he recommends that some competent person be sent to England for the purpose of affording, when required, to His Grace the Secretary of State for the Colonies, full information on the various grounds for such repeal that may be submitted by the Nova Scotia delegates. The Committee concur in the recommendation submitted by the Minister of Justice, and advise that a competent person be authorized to proceed to England for the purpose mentioned.

Sir John A. Macdonald also read the following letter addressed to Mr. Cartier by Mr. [Sir John A. Macdonald (Kingston).]

Galt, in which that gentleman declined the proffered appointment as co-delegate with Dr. Tupper:—

"The Hon. G. E. Cartier,  
Executive Council.

Ottawa, 16th March, 1868

"Dear Cartier—I have given my best consideration to the proposal you have made to me on behalf of the Government, to undertake a mission to England on the subject of the Nova Scotia difficulty, in association with Dr. Tupper. While I would gladly put my services at the disposal of the Government in any way calculated to consolidate the Union, still I am obliged to consider how far the circumstances connected with the proposed mission bear upon the prospect of a useful result—and I must frankly say that I consider the situation of Dr. Tupper is calculated, in the present temper of Nova Scotia, so far to diminish the possibility of success, that I do not believe I could myself be of any service. I beg, therefore, that you will express to the Council my acknowledgements for the proposal, at the same time that I feel myself obliged very respectfully to decline it.

Believe me,  
My dear Cartier,  
Yours faithfully,

(Signed) A. T. Galt.

Hon. Mr. Holton said he had understood the other day from the Leader of the Government that he would bring down a copy of the instructions given to Dr. Tupper.

Sir John A. Macdonald said the instructions to Dr. Tupper were simply to go to London and place himself in communication with the Colonial Minister. There were no other instructions except what were implied in the Order-in-Council, which he had read.

Hon. Mr. Dorion said the facts, as he understood them, were that the Minister of Justice on the 12th March recommended the appointment of Dr. Tupper to go to England, and that after the selection of Dr. Tupper a request was made to Mr. Galt to accompany him, which Mr. Galt had declined, for the reasons very clearly and forcibly stated in his letter. The Government had two courses which they might have followed—one was a course of conciliation towards the public opinion of Nova Scotia; the other was the reverse of this—and that was the course which it seemed to him they had adopted. By the appointment of Dr. Tupper they had assumed the responsibility of all the quarrels and bitterness of feeling which, during a long contest, had existed between Dr. Tupper and (he might say) almost the whole people of Nova Scotia, who would look on the appointment of Dr. Tupper as an insult, and as an indication that the Government were disposed to adopt the views which Dr. Tupper

might press upon them with regard to the treatment of Nova Scotia. They would consider that the influence of Dr. Tupper in the councils of the Dominion was greater than the influence of the whole people of Nova Scotia, and would be more estranged and more disposed to offer resistance to the Union than ever before. He thought the man worst calculated to represent the Dominion of Canada on such a mission, if there was any desire to conciliate Nova Scotia, was Dr. Tupper. The Premier said one reason why Dr. Tupper was selected was, that he was the prime mover of Confederation, so far as Nova Scotia was concerned. But that was the very reason why in Nova Scotia he was held to be a traitor. The Premier said Dr. Tupper was the best man to represent Nova Scotia, and a capital man to represent the Dominion. If so, where was the necessity of asking Mr. Galt to accompany him? Was he merely to be the acolyte, the aid and assistant to Dr. Tupper? He was not surprised that Mr. Galt should have declined such a secondary position, and should have refused to mix himself up in the quarrels between Dr. Tupper and the delegates from Nova Scotia. He thought the appointment a most unfortunate one. It would have been much better to have selected a gentleman entirely unconnected with the quarrels and difficulties between the representatives of Nova Scotia. Perhaps the best man who could have been selected for such a mission, if he had gone alone, would have been Mr. Galt, whose abilities and conciliatory manner would have well qualified him for such a task.

**Mr. Mackenzie** said it was with feelings of great regret that he felt compelled to take part in a discussion which must necessarily raise a question as to permanence of the Union of the British Provinces. He thought we could not in this age of the world adopt any policy which would have for its object or result the coercion of any people. (Hear, hear.) He found no fault with the Government for sending a deputation to England. The only question in his mind was whether the choice made of Dr. Tupper was a wise one or not. There was, no doubt, an advantage in having a deputy who was well acquainted with the whole controversy in Nova Scotia, but the matter in dispute could not be settled by an argument before the Imperial Government as to who was right or who was wrong in that controversy. (Hear, hear.) He thought, however, the choice of Dr. Tupper was an unwise one, and that it would have

been better to have chosen one well known to have been a strong friend of the Union, and at the same time not personally obnoxious by the course he had pursued in bringing about the Union. In any discussion to which the present attitude of Nova Scotia might give rise, he held it to be the duty of every true patriot to use only such arguments and such language as might have a tendency to soothe the feeling of anger and discontent which now prevailed to so great an extent in the Province of Nova Scotia. He regretted exceedingly that the Government had not chosen to take advice of the gentlemen on his side, who, though opposed to the Government, were not opposed to them in this matter, and that they had set aside the advice he had himself tendered them both publicly and privately to avoid these measures which would be construed by the people of the Lower Provinces into fresh causes of discontent. If this advice had been followed during the first part of this, the first Parliamentary session of the Dominion, he was satisfied he would not have seen the agitation in Nova Scotia carried to its present pitch, but the tendency of a number of the laws passed in the early part of the session had unfortunately been to increase the discontent. The true course for the Government to adopt now, would be frankly to admit the mistake into which they had fallen, and to take measures to remedy it by removing what were felt to be serious grievances in the Province of Nova Scotia, and to some extent also in the Province of New Brunswick.

**Hon. Mr. Cartier** regretted that the honourable member for Hochelaga had not adopted such a line of arguments as the honourable member for Lambton. Dr. Tupper had not been sent home to take part in any discussion, but simply to afford the Imperial Government, if they should desire it, information upon the facts upon representation of which they had consented to the Act of Union. It was due to Dr. Tupper, who was in a great measure responsible for the passing of the measure, to give him the opportunity of such explanation, and it was due to the British Government that he should be there to answer for the advice he had then given. There was no possibility of political collision with the delegation. He asserted that no effort on the part of the Government would be wanting to assure Nova Scotia of the advantage of the Federation, and said that it was only by frankly and freely and fearlessly expressing the opinions of all parties that conciliation could be rendered possible.

**Mr. Savary** had hoped that a more satisfactory answer would have been given by the Government to the interrogations of the honourable member for Chateaugay. He had hoped that it might turn out that Dr. Tupper had been sent home upon some other mission, the Intercolonial Railway, or the North-West Territory, for example. But although he could not congratulate the Government on their policy in sending him as they had—and, indeed, the policy of the Government was entirely a matter of indifference to him—he might regard it as an example of the fitness of things. It was not politic, because it was not possible that Dr. Tupper could have any effect in counteracting the unanimous wishes of his people with the Imperial Government, whom he had previously, by false representations, so grossly deceived, but it was perhaps fit that a man who could not traverse his own Province with personal safety should be sent for security 3,000 miles away (oh, oh!) He repeated that such was the state of exasperation against him in Nova Scotia, that he could not dare to go from Halifax to his own county, and that it was therefore well to send him home for protection. It was not he (Mr. S.), nor yet Mr. Howe, who was responsible for the excitement that prevailed. It was Dr. Tupper himself, the man who had laid the axe to the root of British prosperity on this continent, and had destroyed the prospect of one of the most flourishing colonies of the Crown. The choice by the Government of such a man for such a mission had confirmed in perpetuity the discontent of which he was the cause. What steps had the Government, in its paternal care, taken to allay this discontent? So far from doing anything whatever on this direction they had here deliberately put all prospect of compromise out of the question. He was glad, but not surprised, to find that Mr. Galt had refused indignantly to accompany Dr. Tupper, an association by which he would have been disgraced. There had been once good feeling towards Canada on the part of Nova Scotia, in the belief that not Canadian but their own statesmen were responsible for their injuries, but that had been killed in this appointment of the man who had been used for years, as the tool by which Union might be effected, to attempt to counteract the unanimous desires of his own people. The Union had been originally proposed for the purpose of ameliorating, not Nova Scotian, but Canadian difficulties. Nova Scotia had been labouring peacefully, contentedly and loyally to work out its constitu-

[Hon. Mr. Cartier (Montreal East).]

tion, but when a section of Canada unreasonably clamored for representation by population it was sought to drag in Nova Scotia to preserve the balance. For this purpose every species of corruption had been resorted to, and many members corruptly used for that purpose now enjoyed their ill-earned reward! Crime and madness were closely allied, and it was but natural that upon the crime of the creation of Union should have followed the madness of its subsequent conduct. The administration had been guilty of every folly that was possible, and one more Session of such a course would render New Brunswick as disaffected as Nova Scotia. He had heard of the lion and the lamb lying down together, and it might be possible that the lion of Canada and the lamb of Nova Scotia would yet do so, but they would have to look for another little child to lead them. (Opposition cheers.)

**Mr. Stewart Campbell** regretted that the affairs of Nova Scotia seemed to be entering as largely into the discussion of this, as the former part of the session. He had hoped when the Legislature of that Province, whether in its wisdom or its folly, had resolved to send a delegation across the water to ask repeal of the Union, that pending the answer of the British Government, the representatives of Nova Scotia here would have been content to have left the question to be disposed of on that side of the water, and not introduced the agitation again into this Legislature. He thought appointment of Dr. Tupper a wise one, as it was necessary that a person possessing full information should be on the other side to communicate whatever facts might be necessary to the British Government. He had heard the word "conciliation" frequently used today. He thought it was out of place. The question was Repeal or No Repeal. Of conciliation there could be none. The member for Digby had said something with reference to the responsibility for the present excitement. He (Mr. Campbell) heard that a certain clique or league in the City of Halifax was entirely responsible for the irritation which existed. The identity of the resolutions passed at different points throughout the Province, showed that they emanated from a common source. The treatment which had been given to one of those resolutions showed the value which might be attached to the whole of them. Among the resolutions passed in almost every county of the Province was one which declared that the representatives of Nova Scotia in this Par-

liament should not attend and take their places here this session. If that resolution could be abrogated by these gentlemen, as they were now abrogating it, he asked what value could be put on the rest of the resolutions. These gentlemen, in taking their seats here, furnished the best evidence possible of the little weight they attached to the opinion of the people of Nova Scotia, as expressed by these resolutions. The address which had gone home emanated not from both branches of the Legislature, but from one branch, and could not therefore be regarded as a constitutional expression of the views and opinions of the people of Nova Scotia. Mr. Campbell then referred to the tendency of this agitation, as shown by the advocacy of annexation principles by an anti-Union newspaper, and by a gentleman who was prominent at the anti-Union newspaper, and by a gentleman who was prominent at the anti-Union meetings having hoisted the American flag on the 1st July last. For himself, when a Confederation of the Provinces became the law of the land, he had felt it his duty as a British subject to yield his assent to it, and whatever might be said of him for doing so, it was an act which he had never regretted, and which he hoped he never would regret.

**Dr. Parker**, in reference to Mr. Campbell's statement that the resolutions by simply one branch of the Legislature of Nova Scotia were not a constitutional expression of opinion by that Province, remarked that frequently the most dangerous utterances of public sentiments were unconstitutionally expressed. If the appeal to Great Britain failed, it would be considered as due to the influence of this Government, and the people of Nova Scotia should then have a quarrel not only with the British Government, but with this Government. He thought a more unfortunate selection than that of Dr. Tupper could not have been made. It could only have the effect of increasing the irritation in Nova Scotia. He believed this House would not do its duty if it did not address His Excellency expressing its disapproval of this step, and thereby setting itself right with the people of Nova Scotia.

**Mr. Coffin** said the strength of the opinion of Nova Scotia against the Union had not been exaggerated, and he considered that any one who found himself so strongly in opposition to the sentiments of his constituents as an honourable gentleman who had spoken to-day (Mr. Campbell), ought to place his resignation in their hands, and allow them to

elect a man who would truly represent them. He looked upon the selection of Dr. Tupper for this mission as an act most offensive to Nova Scotia. Reference had been made to a resolution that the members from Nova Scotia should not attend here. No such resolution had been passed in his county, although it was as strongly hostile to the Union as any part of the Province. For his own part, he believed that in justice to their own Province, it was their duty to be here. He thought this present discussion showed the advantage of their being here, to represent Nova Scotia's opinion.

**Hon. Mr. Huntington** said that everyone must regret the discussion which he was not going to prolong by entering into the question as to who was responsible for the excitement. He would only point out that it would have answered much better if Nova Scotia quarrels had been left to take care of themselves, and if the Nova Scotia Opposition, if such existed, had been permitted to send home Dr. Tupper to explain their views, and to represent at Downing Street the mis-statements of the majority. The Government, by undertaking to look after the Nova Scotia Opposition, and by employing Dr. Tupper as their representative had identified themselves with the Nova Scotia quarrel. But he believed that the real reason by which they were actuated was a desire to give Dr. Tupper a position. It was well known that neither the Minister for Justice, nor the Minister of Militia ever deserted a friend, and they had here allowed personal considerations to outweigh public policy. If it had been necessary for Mr. Galt to go as specially representing the Dominion, why had there not been some one else sent in his place when he had refused? It would be easy to make this matter for attack upon the Government in their having failed to educate Nova Scotian opinion, but it was no fit subject for partizanship, and, where all had the same objects at heart though from different points of view, they should remember the grand old principle of the sentiment "Our country, may she always be right, but, right or wrong our country!" The honourable member for Guysboro' had said that he did not believe in conciliation, but he held that a statesman who would now come down with such a scheme as would conciliate the country would rank higher than any of those by whom Union had been first brought about. He deplored the spectacle we had presented of gentlemen who had lost the confidence of the

people, being taken up and protected by the Government. The mere fact that Ministers were desirous of conciliation was useless, unless some better proof than after-dinner speeches were given of such a desire. We should take warning for the error in Government which had to-day made Ireland the standing Nemesis of England, and should take care that we did not take upon our hands a second Ireland by persisting in a policy which, however honest, is mistaken and aggravating.

**Mr. Blake** was one of those who believed this Union could not be maintained if there existed a permanent feeling of discontent in any considerable portion of any of the Provinces now united, and his opinion was there would be little use in attempting to prolong such an unwilling Union. This being the case, the action of the Government in this matter was unfortunate, as it tended to influence ill feeling in one of the Provinces. As to the legislation of the early part of the session, leaving out the case of Nova Scotia and looking only to New Brunswick, what was the result of it in that Province? That a strong feeling had grown up against it there—that bad as things were before, they had become ten times worse. To what was this to be attributed? To the legislation of last session which was inflicted on those people. The House was told the flour tax was of little consequence to those people. But, clearly, the interest of the Dominion did not demand the imposition of the tax, and the people of Nova Scotia were strongly averse to it—and what he held was that when the almost unanimous feeling in New Brunswick and Nova Scotia was declared to be against that measure, as one calculated to do mischief, it should not have been imposed. It had been imposed, and by that legislation the Dominion had been seriously compromised. The wishes of the representatives of the Maritime Provinces had been disregarded in the matter. Faith had not, it was held, been kept with the people of those Provinces, and hence the strong feelings excited against a Union in which their wishes were not respected. Then came the action of the Government in sending home an envoy to enter into a strife for the maintenance of the Union Act. In arriving at that conclusion the Government ought to have sought to take action in as conciliatory a mode as possible. But the delegate chosen by this professionally conciliatory Government, sent home to argue the

[*Mr. Huntington (Shefford).*]

cause of Union, a man who, rightly or wrongly, was held by the Nova Scotians to be a traitor to his country—the man who was primarily responsible for the present state of affairs in that Province against which its inhabitants protested. While he (**Mr. Blake**) should have been disposed in every way possible to allow **Dr. Tupper** to go and defend himself, he (**Mr. Blake**) utterly denied that **Dr. Tupper** should have been sent as the envoy of Canada. By the Order-in-Council it was said **Dr. Tupper** went home simply to give and receive information on the subject; but he (**Mr. Blake**) was mistaken if the people of Nova Scotia would not be convinced **Dr. Tupper** was sent home to thoroughly espouse that cause which was so distasteful to them. He (**Mr. Blake**) therefore regretted that this course, rightly characterized as one of folly, should have been taken by the Ministry.

**Mr. T. R. Ferguson** denied that after the statements made here no conciliation would be accepted by Nova Scotia short of absolute repeal, it could be fairly supposed that any other delegate who might be selected would give greater satisfaction to the Anti-Union party. This party had no real grounds for their opposition, but had made complaints of their position before any legislation had taken place here at all. It had been shown clearly that, even if Union had never taken place at all, additional Nova Scotia taxation would have been inevitable, but now the very flour tax, which had been imposed upon them by their own Legislature without remonstrance, had been made a monstrous grievance when the representatives of the other Provinces agreed to share it themselves. This flour tax, amounting only to \$25 upon \$1,000, was no greater burden upon trade than that borne willingly by tavern keepers here. The loyalty that fled from such an imposition to annexation with the United States was not very strong. The Government had, in the early part of the Session, stated that they were prepared to consider some modifications in this intolerable tariff, but without waiting for any announcement of their intentions in this direction, they had uttered protests here of the indifference displayed to their desires. For his part, if they were determined to insist upon being permitted to enjoy the misfortune of separation from the Dominion, he for one would not be inclined to use any tyranny to retain them, but would permit them to live contentedly at home without any Intercolonial Railway or other advantages to be derived from their connection with the other Provinces. He did not at all believe that New



Brunswick would follow their misguided example. He considered Dr. Tupper the best man who could possibly be chosen to lay a statement of the whole position before Her Majesty's Ministers, and he never supported the Government more heartily or thoroughly than upon the present occasion.

**Mr. Ross** derided the idea of sending to England, on such a mission, a man once having a large number of followers in Nova Scotia, but now so unpopular that he came to the House without a single follower from that section. The people of Nova Scotia were formerly committed against Confederation. Seventeen of the representatives of that Province in the Dominion had signed petitions to the Imperial Government in favour of repeal, and the result would show that it would be just as well Nova Scotia should be let go at once. Nothing but complete separa-

tion would satisfy them. Even if the mission to England failed, it would only make the people of Nova Scotia more united and determined to follow out this object to the end. It was not merely the flour grievance of which they complained. Their whole tariff had been increased from 10 to 15 per cent—a rate which had never before been known in Nova Scotia. Postage had been imposed on newspapers, and now even their currency was proposed to be changed. So far, every act of the Government of the Dominion, as far as Nova Scotia was concerned, had a tendency to irritate and increase the feeling against Union, and none of the measures which had been passed had a tendency to advance the interests of that Province.

—It being six o'clock, the **Speaker rose and declared the House adjourned.**

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## HOUSE OF COMMONS

Friday, March 20, 1868

The Speaker took the Chair at three o'clock.

### PETITIONS

Mr. Workman presented a petition from sundry printers and publishers of Montreal praying that printing paper might be admitted free of duty, or at the lowest rate compatible with revenue requirements.

Several petitions were presented praying for the adoption of Major Robinson's route for the Intercolonial Railway.

### CONTESTED ELECTIONS

The General Committee of Privileges and Elections reported that they had fixed the days for trial of the following election petitions, viz.:—For the electoral Division of St. Hyacinthe on Wednesday, 1st April; Argen-teuil on Thursday, 2nd April; Joliette, Monday, 6th April; and Montreal East, Tuesday, 7th April.

### PUBLIC OFFICES

A Bill respecting Oaths of Public Offices, and a Bill regarding securities of Public Officers (transmitted by message from the Senate) were read a first time, and the second readings fixed for Tuesday.

### PRIVILEGE OF PARLIAMENT

On the motion of Sir J. A. Macdonald, a Bill entitled an Act for defining the Privileges of the House of Commons, and for the protection of persons engaged in publication of parliamentary papers, was read a first time, and the second reading fixed for Tuesday.

### KAMOURASKA ELECTION

Sir John A. Macdonald moved that the return of the Returning Officers at last election for Kamouraska and the petition of the Hon. J. Chapais relating to that election be referred to the Standing Committee on Privileges and Elections to report thereon; and that pending their consideration of the subject, the issue of a writ for an election in

said electoral district be postponed. He said that Mr. Chapais having become a member of the Senate, his petition for a seat was no longer before the House, and the circumstances of the election could no longer be inquired into by a select election committee. It was clear, however, that in the interests of the purity and freedom of elections this return should be investigated somewhere; and the proper tribunal, where there was no converted election committee, was the Standing Committee on Privileges and Elections. He thought the House would agree with him that, under all the circumstances of the case, as detailed in the return and accompanying papers, with the protest regarding the conduct of the Returning Officer, the matter should not be allowed to pass *sub silentio*, and that if the results of the inquiry warranted it, punishment should be inflicted. The principle was this, that you do not punish a constituency for any misconduct of particular individuals, but that if the evidence should be that the violence or bribery and corruption had been widespread, then the writs should be suspended till it should be seen whether the constituency did or did not require special legislation. Unfortunately, in this county this was not the first instance in which all law and order and freedom of election had been set at nought. Both political parties had on one occasion or another been guilty of breaches of the peace. At the previous election, there was shown such violence on the part of the friends of Mr. Chapais, provoked by the conduct of the other party in adding the names of large body of men from the neighbouring county to the rolls, that Mr. Chapais was unseated and a new election ordered. In the present case, the opponents of Mr. Chapais, believing right or wrong, that the Returning Officer had improperly excluded a certain portion of the constituency from voting, raised a riot and prevented the election. So great was the riot that a mob of 2,000 people hunted Mr. Chapais and would have murdered him if they had got hold of him. Proceedings of a like character had also been too frequent in the contiguous counties of Charlevoix and Lobbinère, that some special legislation might be necessary to teach these constituencies that, remote as they were

from the seat of Government, they could not set law and order at defiance with impunity. He recollected that in the county of Leeds, violence for a time was systematically used by one party. A member was chosen by violence, and on being unseated was again elected by similar means. At last there was special legislation for that county by the Parliament of Upper Canada, and ever since the elections in Leeds had been conducted as quietly as in any part of Upper Canada. He thought it was well that early in the history of the Dominion Parliament it should be shown that no interference with the freedom and purity of election could be permitted.

**Mr. Joly** said that in the early part of this session a Minister of the Crown presented a petition asking that Mr. Chapais, also a Minister of the Crown, should be seated for Kamouraska. At that time the Government considered that Kamouraska was worthy to be represented in this House, provided Mr. Chapais was its representative; but now, Mr. Chapais as a member of the other House could no longer claim a seat here, the Minister of Justice found that Kamouraska was unworthy to be represented. (Hear, hear). He had listened with pain to the Minister of Justice while he made such reckless statements against one of the Counties of Quebec. As a member from that Province he (Mr. Joly) found himself called upon to stand up in defence of the fair name of one of its counties. The Minister of Justice had gone as far as to charge 2,000 inhabitants of that County with an attempt to murder a Minister of the Crown. He (Mr. Joly) was satisfied that such a charge could not be truthfully brought against any portion of the inhabitants. Even as regarded the number of the rioters there had been very much exaggeration. It had been shown before another legislature that instead of 2,000 rioters the number engaged in that riot was much less than five hundred. On the other hand there was before the House a petition from one thousand six hundred and fifty electors of Kamouraska claiming the right to be represented in this House, and he could not see why they should be deprived of that right, unless there was most positive evidence that they had forfeited it by their misconduct. Mr. Joly went on to narrate the circumstances which had led to the riot. He states that in the first instance certified copies of the voters' lists instead of duplicates, as required by law, had been given to the Returning Officer. That just on the eve of

[Sir John A. Macdonald (Kingston).]

the election this had somehow been corrected with reference to the right of the 12 parishes of Kamouraska, and that the Returning Officer issued his proclamation excluding from voting the other four parishes, which, singularly enough, were just the parishes which were certain to give a large majority against Mr. Chapais. On the day of the election, the Returning Officer was asked on the husting whether he persisted in excluding these parishes. On his replying in the affirmative, the riot commenced, and the election was prevented. He would not excuse the rioters, and was willing that their conduct should be enquired into, but he thought the last portion of the motion, suspending the issue of the writ, should be struck out. It would then be competent for the House to issue the writ, after the enquiry before the committee proceeded far enough to show that there was no reason for delaying it. The motion as it now stood seemed to him designed to disfranchise Kamouraska by a side wind, by delaying the proceedings as much as possible, for such an investigation as that proposed would necessarily occupy a great deal of time. Mr. Joly concluded by charging the Ministry with culpable negligence in delaying to this late period of the session a step which they now declared to be essential for the vindication of the purity and freedom of election.

**Hon. Mr. Cartier** reminded the honourable member of the maxim, "Charity begins at home." They had heard the statement that there might be good excuse made for the conduct of those participating in the Kamouraska election. He (Mr. Cartier) knew a county where one-third of the electors had for similar conduct been disfranchised since 1859. It was the very county represented by the member last speaking, Lotbinière. Three parishes in that county had been virtually disfranchised since 1859, and hence the honourable member now representing that constituency made his way to Parliament much easier than he could otherwise have done. How was it that that member had such sympathy for his disfranchised neighbours, but none for his own constituents? Instead of wasting his energy to bring relief to the rioters of Kamouraska the honourable member ought to try and help his own people. In 1861, that member was returned for Lotbinière in consequence, probably, of these three poor parishes being out of the way. In 1863, he had been returned by acclamation.

**Mr. Joly** maintained that these parishes had been represented by him.

**Hon. Mr. Cartier** argued that these three parishes had not been represented; they had been excluded from electoral franchise since 1859. Looking at the history of that constituency, they saw that in 1859, when Mr. O'Farrell contested the election, it was marked by acts of violence, for participation in which the then sitting member was expelled from the House on the 12th May, 1858, and some of the ringleaders were ordered to be imprisoned. In August that year, the Cartier-Macdonald Government was defeated, and their successors, the Brown-Dorion Government, evidently approved the policy adopted by their predecessors. Next year, the Macdonald-Cartier Government came in, and the writ continued suspended until the close of the session. In January, 1859, the new Act came into force, and since that time a new list of voters for those parishes had never been made. Now, during his eight years in Parliament why did not the member for Lotbiniere address himself to this matter, which came much nearer home to him. The Kamouraska riot had been one of the most daring and violent character, participated in by some 2,000 rioters, who were determined to prevent an election, and in the execution of that determination almost killed two persons. Then, too, there was the murder of Corrigan in that county.

**Mr. Joly** rose to order. The murder of Corrigan had nothing to do with the point at issue, and was the result of a religious, not an election quarrel. He hoped the honourable Minister would have better taste, and more love for his country, than to intrude such a subject irrelevantly.

The Speaker having decided that the reference was in order,

**Hon. Mr. Cartier** continued, showing that even after the punishment of the offenders in the case he instanced the House had determined to exercise its severity to the whole constituency, by delaying the issue of the writ of election for the remainder of the Session, and went on to recount some of the particulars of the Kamouraska riot, as furnishing sufficient reason for the suspension of its franchise.

**Mr. Joly** thanked the Minister for Militia for his interest in the three poor parishes of Lotbiniere, a county which he was not ashamed of representing, and which was not

altogether composed of rioters, as had been said by the representative of a city where it was necessary occasionally to sweep the streets with cavalry, and clear them with cartridges; as was perhaps natural in the constituency of so pugnacious a gentleman who was moreover a Minister of Militia. The remedy which the Hon. Minister might apply to the parishes he so much commiserated was a very simple one. He had simply to take his seat on that side of the House, and so remove an impression that existed that his policy was likely to lead to direct taxation, the apprehension of which had been the reason for the reluctance of these parishes to assess themselves, entertaining the idea—erroneous certainly but prevailing—that their omission to do so would secure them immunity. He concluded by repeating some of the causes of dissatisfaction which had existed among the Kamouraska electors.

**Mr. Dufresne** supported the motion in its entirety (after correcting some historical statements in which he conceived Mr. Cartier to have been in error) believing that it would be useless and ineffective if curtailed.

After some words from **Hon. Mr. Cartier** in explanation,

**Hon. Mr. Dorion** said that the Minister for Militia seemed to consider that the question at issue regarded not the constituency of Kamouraska, but of Lotbiniere, with respect to his observations regarding which latter district he, from long acquaintance with its present member, was well satisfied that if any portion of it, from reasons of their own, declined to take part in its elections, they were at least well satisfied with his representation. If they were not so it would be an inducement for the assessment, which might give them the opportunity of displacing him. But the case was wholly irrelevant, the question at issue being whether Kamouraska should, or should not, be disfranchised. All precedent pointed to the proper mode of dealing with such cases by examination at the Bar of the House, a proceeding whose efficiency had never been called in question. He animadverted upon the conduct of the Kamouraska Returning Officer, a relative of the Minister, in disfranchising four of the Electoral Divisions, although he had been reminded of his duty in good time. He did not want to justify the conduct of any rioters, but the exasperation must have been very widespread, and the candidate must have had very few supporters, when it had been stated that a body of 2,000 were present to prevent

the return of the Minister of Agriculture, while he found that the whole constituency numbered but 3,100. He went on to dispute the exaggerated character which had been given to the disturbances, and insisted that, while the due punishment of the rioters was proper and desirable, it was unjust to propose to punish by disfranchisement the peaceful portion of the constituency for the faults of their neighbours. He instanced cases of petitions referred to the Committee of Privileges and Elections, and remaining unreported upon during an entire Session of eight months, to show the probable duration of the suspension of representation to which it was proposed that Kamouraska should be subjected, a suspension which was really the gist of the motion, the last sentence of which contained its measure of importance. There had been, in Parliamentary history, one case, and one only, in which the issue of a writ had been suspended from such causes as the present—the case of the borough of Nottingham—and in that case the delay had not been an indefinite one, as asked for here, continuing for one month only. There being no precedents in British history, he would refer to Canadian history, in which, since the Union, there had been numerous instances of riot far more serious than that of Kamouraska, and proceeded to mention the case, including that of Argenteuil in 1854, of such violent interruption and non-return, which had not occasioned delay on the due issue of the new writs. In 1860 there had been 15,000 names recorded on the poll-books on Quebec, including those of Julius Caesar, Alexander, Wellington, Napoleon, Dan O'Connell, etc., when the electors were not really more than 5,000, and a proposal had been made considering this fraud and the violence that had disturbed the election, that the issue of a writ for that city should be postponed during the remainder of the Session, and, when he moved for its issue, the Attorney-General moved that the consideration of the motion be deferred for two days, and then seconded by the other Attorney-General, moved for the issue of the writ himself. He thought that no delay should be allowed to take place in taking care that Kamouraska was represented here. Allusion had been made to former Kamouraska riots, but in their case the rioters had been promptly brought to trial, and punished in accordance. Punishment to be inflicted by trial at the Bar of the House would be the promptest, the most certain, and the most marked; and he protested against agreeing to tie the hands of the House during the

[Mr. Dorion (Hochelega).]

inaction of the General Committee. In conclusion he hoped that if the Government would not consent to withdraw the concluding portion of the motion some honourable member would move its omission.

**After the 6 o'clock recess—**

**Hon. Mr. Chauveau** related in French the circumstances of the riots in Kamouraska, and strongly defended the action of the Committee on Privileges and Elections of the Local Legislature of Quebec in refusing to issue an election writ pending the investigation, as the circumstances seemed of so serious a character as to authorize the temporary disfranchisement of Kamouraska. He asserted that the utmost celerity had been displayed by that Committee and denied that Mr. Dunkin's absence from the committee had delayed proceedings. The Quebec members, he said, who wished the issue of an election writ, might as well have made that motion at the beginning of the session, without waiting for the report of the Committee on Privileges.

**Hon. Mr. Dunkin** said in this discussion they had heard a great deal about the Knaresborough election. In that case, a petition was presented by the electors, complaining that a riot had prevented the election, alleging distinctly that the riot was by non-electors, and asking protection and the issue of a writ. The House of Commons sent that to a committee. The committee reported the facts and recommended that punishment should be awarded the offenders, and that a writ should issue. But in this case, the petition presented a few days ago from the electors admitted that the riot was the act of electors, and rather excused and justified their conduct than condemned it. He regretted the tone assumed in this debate by the gentlemen opposite. This sort of passing very lightly over—half defending, half excusing, sentimentally sympathizing with—violence at elections, had a very dangerous tendency. He would not say it was advisable to punish the county by disfranchising it; but it was not clear to his mind that, under such circumstances as was shown here, that they should grant a new election as a matter of course. It was just as well to let some time pass over to allow the violent passions which had been excited during the late election to cool down a little.

**Hon. Mr. Huntington** characterized the position just taken, viz.: that no petition had been received from the electors, and that

therefore the House should take no action, as most extraordinary. If the honourable gentleman's desire was gratified by the case being sent to the committee the final action upon it could not be doubtful, for it was impossible that the Committee should advise the district to be disfranchised on account of simple acts of violence. As had been so fully argued by the honourable member for Hochelaga, the case of the Quebec election furnished an infinitely stronger reason for temporary disfranchisement than that of Kamouraska, the claims of which were the more urgent from the fact of the constituency being unrepresented. He could not but draw the conclusion that the honourable gentlemen opposite were ready to change, for their own political convenience, the views they had heretofore entertained upon such matters. He should have thought that the Government were strong enough, and were led with sufficient ability, to enable them to preserve their consistency. The object of the motion was to disfranchise a constituency for which no supporter of the administration would probably be returned, and to take vengeance upon those by whom the return of a member of the administration had been prevented. The Honourable Minister of Militia had shown more ingenuity in making out a case for his friends than of the candour to be expected from his position in putting both sides of the case fairly forward, and admitting the use in the service of the Government of the exasperating influence which had occasioned the excitement. He had on another occasion made similar charges against the constituency of Shefford all of which proved to be unfounded, for which he (Mr. Huntington) had long ago forgiven him, but which might show what amount of reliance should be placed upon such *ex parte* statements.

**Hon. Mr. Langevin** could not agree with the member for Hochelaga as to the conduct of the mob or its composition. Taking the documents as they were before the House, looking at the facts shown by the Returning Officer, and this very polite civil riot (as the member for Hochelaga would fain have the House believe it) assumed serious and threatening dimensions. The officer was followed by a large and threatening crowd. He would not be allowed to go to the hustings. The hustings were pulled down, the Election Law snatched from his hands, and threats were freely used that the mob of some 2,000, as it was avowed, would allow of no election. They hustled the officer about. With difficulty he reached his own house. Then the angry mob surrounded

his dwelling, and a deputation entered, threatening that if he did not give up the books, his house would be pulled down; and he had to allow them to take the books, finding resistance to be useless. There never had been greater violence committed towards an officer of the law, and they did not find there had been any interference on the part of the electors to prevent the mob. The whole scene of violence was not the work of two or three evil disposed persons, nor of strangers, but of the electors generally, who had resolved there should be no election. Under these circumstances, could the house be justified in issuing the writ without prior investigation? Would it not be inducing the voters to repeat these disgraceful scenes? The Quebec election case had been cited by a member, to show that Government should act differently in this instance; but there was no parallel between the two cases. In the Quebec case, the member had been in the House three sessions. The circumstances had occurred years before—the electors had had time to come to their senses. The lawless scenes complained of were not likely to be repeated. The law had been altered and the acts complained of were not those of the great body of the electors, but only the acts of a few. Here the case was entirely different, as to the Returning Officer's conduct that could be investigated by the committee. His position was a responsible one. It was his duty to see that the lists were legal in every respect. If they were not so, it was equally his duty to determine there should be no poll in the districts to which such lists belonged. In this case the Government took the proper course in referring the whole matter to the Committee on Privileges and Elections for investigation. They did so, not to disfranchise the county, but to take the only safe way of restoring the franchise by finding out and punishing the voters and deterring them from the commission of such acts in future. Otherwise, if the writ were first issued, these riots would be repeated. The rioters would feel protected by the House. The purity of elections would be destroyed. He for one would not agree to such a course.

**Mr. Joly**, seconded by **Mr. Tremblay**, moved in amendment that the following words be struck out of the motion:—"That, pending the consideration of the subject, the issue of the Writ of Election in said electoral district be postponed." This amendment, the mover explained, did not tend to prevent the matter going to Committee. It merely left the power it possessed of interfering with this

matter whenever it thought fit to do so. If the House thought fit to order the Committee to report, the report would be forthcoming.

**Mr. Mackenzie** said that on this question the Minister of Militia had used some of the extraordinary arguments with which he was wont to meet the House. He had treated them to an elaborate disquisition on the Lotbinière election, but had added nothing to the arguments in favour of the motion before the House. It had been urged there should be no extenuation of an attempt to violate the law. There were two descriptions of attempts to violate the law, which had to be considered in this case—overt acts of violence, and those which take place through ministers of the law; and if there was one thing more than another deserving censure, it was when public officers charged with judicial functions deliberately abandoned the duty they were sworn to perform, and sought by violating the law to introduce party politics where they had no right to act otherwise than as judges. He felt satisfied that everyone reading the law must be convinced that this Returning Officer knew he was disfranchising electoral districts in that county, for what purpose that officer himself could best determine. Now, in considering what ought to be done, they had to bear in mind the fact that there was no ground to believe that a majority of the people had any share or lot in the riot. Even if 2,000 persons were present, no one alleged that they were all on one side. A large number must have been supporters of Mr. Chapais, and it must be remembered they had the petition of 1,500 electors asking that proper proceedings be taken by the House to restore the franchise to that constituency. He (Mr. Mackenzie) contended it was unfair to punish the majority for the acts of the minority; and at this, the first session of the new Parliament of the Dominion, it was not desirable that the Administration should seize on what, after all, appeared to be an exceedingly trifling matter, in order to disfranchise a county, especially when the very nature of their position rendered it more than ever essential that no part of the Dominion should be disfranchised. Happily, there was no immediate prospect of a discussion involving the rights of Quebec or antagonistic to that of the other Provinces; but supposing that event to arise, that the Province of Quebec found itself by such a proceeding as this deprived of its just share in any discussion. The honourable gentleman urged other reasons why the House should be careful not to compromise for trifling reasons the position of any constituency

[Mr. Joly (Lotbinière).]

or prevent its representation in Parliament. Before closing, he would notice that the argument of the member for Lotbinière had remained unanswered. It was this, that when the Minister of Militia presented the petition respecting Mr. Chapais, he (Mr. Cartier) clearly believed the constituency entitled to representation. (Hear.) There was no talk about disfranchising. But now, when Mr. Chapais was ruled out of court, the only plan the Minister of Militia has is to prevent any one else taking Mr. Chapais' place, and so the constituency is disfranchised. That argument has remained unanswered; and it would be far better to reply to it than wander off as members had done.

**Hon. Mr. Cartier** replied, and contended that his present position was quite consistent with that he (Mr. Cartier) assumed in the early part of the session. He then presented the petition to the end that there should be an investigation by a committee of the House, that they might report the violence, if they found there had been such, that all the facts should be given to the House; and then, if by this report the House came to the conclusion that violence had been used, they could have adopted the conclusion of suspending the issue of the writ.

**Hon. J. S. Macdonald** said he saw nothing in this case to lead him to think that the issue of a writ should be made contingent on the report of a committee. He would be glad to have an investigation proceed, but it should not interfere with the issue of the writ. Perhaps it was not necessary that it should issue immediately, but he could not consent that in such a matter the House should divest itself of its privileges and transfer them to a committee.

**Sir John A. Macdonald** said, as regarded the first part of his motion, it was out of the question that any member could take the responsibility of opposing it. The only point for discussion was whether the writ should be delayed pending the investigation. He was bound to say his motion would be worthless for the purpose of punishment if the amendment were carried. If this were done, he thought an example would be set which they would have great cause to regret. He did not look on this question from any party point of view, for it could not—no one could pretend that it could—materially affect the position of the Government whether this county returned a representative belonging to one party or the other. But in that part of the country there had been a chronic disregard of



law and order at elections, and the House was now bound at all hazards to put an end to that state of things. The Quebec case had been referred to. In that case, men were kept in their place for three long years, misrepresenting (as the report of a committee showed) that constituency. He would ask whether it was the worse infliction on a constituency to have no representative at all, or to have men misrepresenting it? Had a controverted election committee been struck in this case, there would have been an investigation and delay must have taken place. In consequence of Mr. Chapais having been called to the Senate there could be no such investigation by a controverted election committee, and it was fitting that it should be made by the only other competent tribunal, the Committee on Privileges and Elections. This House did not divest itself of its privileges by suspending the issue of a writ till that Committee should report. The Committee was merely the creature of the House, and could at any time be ordered to report in a week or in a day. He proceeded to comment on the facts of the case, in order to show that the riot was of so serious a character as to demand a strict investigation, and to call for punishment if the facts were as alleged.

**Hon. Mr. Holton** remarked that though it might be proper to punish the guilty parties, that would not be accomplished by punishing the majority of the electors who had nothing to do with the riot.

**Sir John A. Macdonald** said that in English cases where a writ had been postponed on account of corruption, it had been held to be sufficient that the corruption was widespread. In this case, if the organization against law and order was so numerous and formidable as to prevent an election, it was necessary in the interests of freedom of election that the state of things should be put a stop to before another election took place. If the motion passed, and the amendment was negatived, he should use all his influence to get the committee speedily to work and to report—first, on the conduct of the Returning Officer; second, on the conduct of the rioters; and third, on the propriety of delaying for a time the issue of a writ. This was a grave case, and he hoped it would be recorded of this House that on the very first occasion which presented itself it showed its determination to adopt the proper means of vindicating freedom of elections.

**Hon. Mr. Holton** said the Minister of Justice had argued that justice would be ob-

tained more promptly by referring this matter to the Committee on Privileges and Elections, than if it had gone to the controverted election committee. Why then had he not taken that course in the first instance? The honourable gentleman had contended that in a matter of this kind there was no distinction between violence and bribery and corruption. For this doctrine there was no precedent. In the English books there was no precedent nor a disfranchisement or suspension of writ by reason of violence. The reason of the distinction was obvious. When constituencies had been disfranchised it was because a minority or a very large portion of them were corrupt; but where there was a riot, the rioters must necessarily be the minority, for it was the interest of the majority that present order should be maintained. He denied that the honourable gentleman had made out a case for the punishment of the constituency. There was a case for the punishment of somebody, and proper inquiry should be made to decide on whom that punishment should fall; but because some individuals had been guilty of a breach of the peace that was not a sufficient reason why a whole constituency should be punished.

**Mr. McGee** vindicated the course taken by the Ministry in supporting the reference of Mr. Chapais' petition to the Committee on Privileges and Elections. He considered there was no inconsistency. The petitioner having vanished out of the case, the House had now to attend to its own interests by having an investigation before the proper tribunal. It was, no doubt, a grave matter to disfranchise a county, even temporarily; but it was these rioters who had disfranchised it. They set the authority of a mob over the authority of the Queen's writ; and now these persons who prevented an election complained that they had not a representative. If Kamouraska was now without a representative it was these people who were to blame. He spoke earnestly in this matter, because he had been met by rowdies in his own constituency; but he had defeated the rowdies.

**Hon. Mr. Holton** said if rowdyism at an election was a reason for disfranchising a constituency, the honourable member should move to disfranchise Montreal West.

**Hon. Mr. McGee** went on to comment further on the circumstances of the Kamouraska election, and concluded by urging Mr. Joly to withdraw his amendment. He thought there could be no second opinion as to its being the

duty of every member of the House to set his face against a number of electors or non-electors combining together to take the law into their own hands. The only adequate punishment in this case, he considered, was the suspension of the writ until the whole facts were inquired into.

**Hon. Mr. Dorion** congratulated the member for Montreal West on the abhorrence he now displayed of rowdyism and rioting at elections. It was not always so. At the election of 1861, when Mr. Ryan, now a Senator, was proposed as an opponent to Mr. McGee in Montreal West, his proposer, Mr. Ogilvie, was hustled from the hustings before he could demand a poll, and Mr. McGee was declared elected. Not being a sufferer by that riot, but the reverse, the honourable gentleman did not demand that Montreal West should be disfranchised. When another constituency was concerned, the honourable gentleman was disposed to look on an election riot in a very different light. Mr. Dorion then proceeded to reply to some of the arguments which had been urged from the other side. It had been said that this was the best time for laying down a precedent of this kind. He thought it was the worst time to lay down such a precedent. It might not do much harm now, in the present state of parties, but it might be used hereafter by a Government depending for its existence on a majority of one or two votes, to suspend the issue of a writ which might result in the return of an opponent. (Hear, hear). The position of the question was this—if all the facts alleged in the papers before the House were established, would it then be held that Kamouraska should be disfranchised? He apprehended not; and if so, what else was there for suspending the writ? The motion of the member for Lotbiniere was put in the mildest form possible, and the House would not be guarding its own privileges if it refused to adopt it.

**Hon. Mr. McGee**, in reply to the remarks of Mr. Dorion with reference to Montreal West, said that since he was first a candidate in 1857 until the recent election there had not been an arrest of a single person in that constituency in connection with an election. The only election riot he had ever seen was that at the last election which was with the concurrence and under the patronage of the members for Chateauguay and Hochelaga. As regarded the hustling of Mr. Ogilvie in 1861, the nomination of an opponent then was merely for the purpose of keeping him engaged and preventing him from taking part

[Mr. McGee (Montreal West).]

in a contested election in another part of the city. The contest was a bogus one, and naturally annoyed his (Mr. McGee's) friends. Next day, Mr. Ryan announced he was not a candidate. He (Mr. McGee) put his arms around Mr. Ogilvie to protect him, but the crowd spun them both round to the step and Mr. Ogilvie was shoved into a carriage and driven off. The only violence Mr. Ogilvie suffered was a rent in one of his garments.

**Hon. Mr. Huntington** made some humorous remarks on the part Mr. McGee had taken in the discussion, and his sensitiveness to any allusion to himself or his constituency. He also reminded that gentleman that if a number of his constituents turned against him at last election, he had given them very considerable provocation.

**Dr. Parker** thought the motion of the gallant knight would set a dangerous precedent. It would place it in the power of a minority in any constituency to defeat the election of a candidate who was supported by a large majority. Suppose in Kingston, at a future election, the gallant knight should be the only candidate. A small band of organized rioters might prevent the election, and according to this precedent the constituency might be for a considerable time disfranchised while an investigation took place. He would have the guilty parties punished, but he would not punish the whole constituency for the acts of a few.

The House then divided on Mr. Joly's amendment—yeas, 40; nays, 77.

**Yeas**—Anglin, Bechard, Bodwell, Bourassa, Bowman, Cheval, Coffin, Colby, Costigan, Coupal, Dorion, Godin, Holton, Huntington, Joly, Kempt, Kierzkowski, Macdonald (Cornwall), McDonald (Glengarry), Macfarlane, Mackenzie, McMonies, Mills, Oliver, Pacquet, Parker, Power, Ray, Redford, Ross (Victoria, N.B.), Rymal, Savary, Snider, Stirton, Sylvain, Thompson (Haldimand), Thompson (Ontario), Tremblay, Wells and Young—40.

**Nays**—Archambault, Ault, Beaty, Belterose, Benoit, Bertrand, Blanchet, Brousseau, Brown, Campbell, Carling, Caron, Cartier, Cartwright, Casault, Cayley, Chamberlin, Chauveau, Cimon, Daoust, Desaulnier, Dobbie, Drew, Dufresne, Dunkin, Ferguson, Fortin, Gaucher, Gaudet, Gendron, Gibbs, Grant, Gray, Grover, Holmes, Huot, Hurdon, Irvine, Jackson, Keeler, Kirkpatrick, Langevin, Langlois, Lapum, Lawson, Little,

Macdonald (Sir J. A.), McDonald (Middlesex), Masson (Soulanges), Masson (Terrebonne), McCallum, McCarthy, McDougall, McGee, McGreevey, McKeagney, McMillan, Morris, Morrison (Niagara), Munro, Perry, Pinsonneault, Pouliot, Rankin, Renaud, Robitaille, Rose, Ross (Dundas), Ross (Prince Edward), Simard, Simpson, Stephenson, Street, Walsh, Webb, Wilson, and Workman—77.

The main motion was then agreed to.

#### DOMINION ARBITRATOR

**Hon. Mr. Holton** inquired whether it was true that a member of this House (Hon. Mr. Gray) had been appointed Arbitrator on behalf of this Government between Upper and Lower Canada.

**Sir John A. Macdonald** said he was not in a position to state that the member for Saint John had been so appointed, but he believed he would be.

**Hon. Mr. Holton** said the gallant knight had given notice that he would introduce an Independence of Parliament Act. Was this an office of emolument which would affect the seat of the member for Saint John?

**Sir John A. Macdonald** said it was not an appointment which would affect that member's seat. He was too valuable a member for this House to lose his services.

The House adjourned at midnight till Monday.

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# HOUSE OF COMMONS

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**Monday, March 23, 1868**

The Speaker took the Chair at three o'clock.

## INTERCOLONIAL RAILWAY

Several petitions were received praying for the adoption of Major Robinson's route for the Intercolonial Railway.

## KAMOURASKA ELECTIONS

**Sir J. A. Macdonald** moved the reference of the petition of Jos. Lebec and other land owners of the County of Kamouraska to the General Committee on Privileges and Elections, which was seconded by Hon. Mr. Cartier, and carried.

## PATENT LAW

**Sir J. A. Macdonald** intimated with reference to certain private Bills upon the paper that the Government proposed during the present Session to introduce a measure affecting the law of patents.

## QUESTIONS

It was elicited from the Government in reply to the understated questions, viz.:—

**Mr. Oliver**—Whether it is the intention of the Government to allow the formation of military organizations within the Dominion for the defence of foreign power?

In reply to **Mr. Oliver**,

**Sir John A. Macdonald** said it is not the intention of the Government to authorize the formation of military organizations within the Dominion for the defence of foreign powers.

**Mr. Morris**—Whether it is the intention of the Government to assent, this Session, to an extension of the Charters of any of the Banks of the Province of Ontario and Quebec beyond 1871, and also whether it is their intention to take any action during the present Session with regard to the system of Banking to be adopted throughout the Dominion, and if so, what action is intended to be taken?

**Hon. Mr. Rose** said the policy of the Government with reference to the expiry of Bank Charters and the system of Banking generally, would be explained to the House on an early day.

## RATE OF INTEREST

**Mr. Godin**—Whether it is the intention of the Government to bring down, during the present Session, a measure to limit the rate of interest in the Dominion of Canada?

**Hon. Mr. Rose** said it is the intention of Government to introduce a measure during the present session, relating to the rate of interest on money.

## DOMINION ARBITRATOR

**Mr. Bodwell**—Whether the Government have chosen an Arbitrator for the decision and adjustment of the debts and credits, liabilities, properties and assets of Upper and Lower Canada, as provided by the 142nd Section of the British North America Act of 1867, and if so, upon whom such choice has fallen?

**Sir John A. Macdonald** said the Government has chosen the Hon. John Hamilton Gray arbitrator on behalf of the Dominion between Upper and Lower Canada.

## ABSCONDED WITH PUBLIC FUNDS

**Mr. Bodwell**—Whether Jordan Charles who lately absconded with a considerable amount of the public funds collected by him in the Inland Revenue District of the County of Oxford, was a regularly appointed officer in the Inland Revenue and Excise Department, and whether proper sureties for the discharge of his duties had been given by him?

**Sir John A. Macdonald** said in the case of Jordan Charles, who lately absconded with public funds, collected by him in the Inland Revenue District of the County of Oxford, no commission was given to him, and no securities were taken from him, he was glad to say that all or nearly all the money with which he had absconded had been or would be recovered.

## POISONS

**Mr. Stephenson**—Whether it is the intention of the Government to introduce, during the present Session, a measure to regulate the sale of poisons within this Dominion?

**Sir John A. Macdonald** said regulations for the sale of poisons would be included in the measure, with reference to the criminal law, which it was the intention of the Government to introduce.

## NOVA SCOTIA RELIEF

**Mr. Cartwright**—Whether the Government have received further information of the existence of increase of destitution among the fishermen of Nova Scotia, and whether it is their intention to ask the House for any appropriation to relieve the same?

**Sir John A. Macdonald** said the Government had no late information as to the destitution among the fishermen of Nova Scotia, and it was not their intention to ask an appropriation for their relief, unless further information was received.

## CANADIAN PAPAL ZOUAVES

**Mr. F. Jones**—Whether the Government employed any means to prevent the departure from this country of a body of young men, known as the Papal Zouaves, who left Canada with the avowed intention of fighting against a nation with which Great Britain and Canada are at peace—many of these young men having received instruction at the public expense in our Military Schools.

**Hon. Mr. Cartier** said it was not within the knowledge of the Government that any body of young men known as the Papal Zouaves had left Canada with the avowed intention of fighting against a nation with which Great Britain and Canada are at peace. As regarded the young men who had gone, the Government did not know who of them might have received instruction at the Military Schools (Laughter).

## PATENTS FOR INDIAN LANDS

**Mr. Thompson (Haldimand)**—Whether the Government have made any arrangement for issuing of Patent Deeds for Indian lands that have been paid for in full, if so, what?

**Hon. Mr. Langevin** said the patents for Indian lands which had been paid for in full, were being prepared, and were being issued as fast as they could be prepared.

[Sir John A. Macdonald (Kingston).]

## MUNICIPAL LOAN FUND

**Mr. O'Connor** moved for a return of sums paid out of the Consolidated Revenue Fund to the credit of the Upper Canada Municipal Loan Fund, under the provisions of the Seigniorial Acts. Carried.

## FATHER McMAHON

**Mr. Masson** moved for the correspondence respecting the liberation by Royal pardon of Rev. Mr. McMahon and other Fenian prisoners. He said he had been led to make this motion by having read in the debates of the English House of Commons, that instructions had been given to the representative of the American Government to demand the immediate release of the Fenian prisoners who were confined in the penitentiaries or prisons of Canada. He wished to ascertain whether there had been any correspondence on the subject with our Government which could be laid before the House.

The motion carried.

## C.B. AND K.C.B.

**Dr. Parker** moved for copies of any representation addressed to His Excellency by members of this House, respecting the marks of royal favour which Her Majesty has been pleased to confer upon them, and of all despatches on the same subject to or from the Colonial Secretary. He said that in the early part of the session he had made a motion which he now rose to renew. He was not satisfied with the reasons on which the withdrawal of his motion was then urged, and he hoped Government would now agree to let the correspondence be brought down. It might be said—what had the House to do with this matter? He replied, everything. If those honours had been conferred on gentlemen in their private character on account of their contributions to literature, science, or art, the matter would be beyond the cognizance of this House. But these honours were conferred by the Home Government on recipients of them, as representing these Provinces in an important matter; and if they were beyond the cognizance of this House, our public men would be open to undue influence by the Crown, and might be led to undertake agitations for constitutional changes not in the public interest, and with a view to their own personal advancement. Again, the Crown exercising its prerogative, acted under advice, and it might fairly be assumed that advice was given on behalf of

this Dominion, as to those qualified to receive the honours and the distinction made between them. For that advice those who gave it were responsible to this House. Dr. Parker went on to say that while admitting that the member for Kingston deserved the honour he received, he thought Mr. Cartier, who more than any other public man had jeopardized his position to carry Confederation, and who formed the keystone of the arch on which its success depended, was equally deserving of the highest honour the Crown had bestowed in the matter. As the case stood, an invidious distinction had been made, and he expected the correspondence would throw some light on how this had occurred. When the correspondence came down, the House would be in a position to say whether it ought to address the Crown with a view to respectfully suggest that the injustice which had been committed ought to be redressed. As regarded some of the other recipients of these honours, he thought the facts were an illustration of what he had said with reference to the Crown having in its power, by bestowal of such honours, to induce public men to prove unfaithful to those whom they represented. The member for Cumberland (Dr. Tupper), while receiving this honour, lost at the same time the confidence of his country; and the Minister of Public Works (Mr. McDougall) and the Minister of Excise (Mr. Howland) no sooner received these honours than they at once deserted the party which had raised them to position and power and had given them the status which entitled them to receive distinction from the Crown. He believed it used to be the office of the Companion of the Bath to redress the wrongs of all injured ladies. These gentlemen appeared to have construed this into its being their duty to defend all Conservative candidates who were sorely pressed at their elections; and at every such election appeared these Companions of the Bath, or Conservative bondsmen, to fight the battles of the member for Kingston against those who had advanced them in public life. (Hear, hear). He hoped if such honours should ever again be bestowed in this country, they would not be made the means of seducing men from those party allegiances, adherence to which was necessary, if they were to obtain respect as public men.

**Sir John A. Macdonald** bowed assent, and—

**Mr. Speaker** declared the motion carried.

**Hon. Mr. Holton**, whose name appeared on the motion as seconder, said he must congratulate his honourable friend, the Leader of the Government, on being converted to those sound views of constitutional principle which he (Mr. Holton) had the honour of pressing upon him when this question was up three months ago.

**Hon. Mr. McGee**—Order, order!

**Hon. Mr. Holton**—On what ground does the honourable gentleman call “order”?

**Hon. Mr. McGee**—Because the motion has been declared carried.

**Hon. Mr. Holton** said he could easily put himself in order. He flattered himself that he knew enough of the rules of the House to be able to do so.

**Hon. Mr. McGee** again rose to order, and insisted that as the motion had been declared carried the honourable gentleman could not speak to it.

**The Speaker** said Mr. Holton might put himself in order by moving to adjourn.

**Hon. Mr. Holton** accordingly moved that the House do now adjourn, and proceeded to say that the member for Montreal West seemed to conceive that he had a mission in this House to make himself disagreeable to those from whom he deserted in a very extraordinary and indefensible manner some years ago, and to insult in season and out of season those members to whom he was under special obligations for the public position he held in this country.

**Sir John A. Macdonald** expressed the opinion that Mr. McGee had done quite right in asking that the rule of the House be enforced, that a member should not speak to a motion after it had been carried.

**Mr. Mackenzie** said Mr. Holton, as seconder of the motion, had waited to see what the Government would say to it; and it had been declared carried so suddenly that it would only have been courtesy to have allowed him to have spoken. It was exceedingly sharp practice in the member for Montreal West to call him to order.

**Mr. Speaker**—Order! There is no question before the Chair—the motion for adjournment not having been seconded.

**Hon. Mr. McGee** said, having been personally attacked, he wished to occupy the

attention of the House for a moment or two (Order!). To put himself in order, he would second the motion of the member for Chateaugay. (Laughter). Mr. McGee then went on to refer to past relations with the member for Chateaugay, and said if the word "deserter" was applicable to any one, it was to that honourable member who, while his political ally, had intrigued to bring about a replatrage in the Government which placed himself in it, and him (Mr. McGee) out of it. As regarded his owing political position to the member for Chateaugay, he said that when they stood as candidates for Montreal in 1857, his friends gave three votes to Mr. Holton for one that Mr. Holton gave him; and the reason that he was only fourth on the poll was that the chairman of his committee voted against him (Mr. McGee) and a number of his (Mr. McGee's) friends then gave him plumpers. But for the support of his (Mr. McGee's) friends, Mr. Holton instead of being fourth would have been at the foot of the poll.

**Mr. Mackenzie** said he had been under the impression that Mr. Holton had been member for Montreal some years before Mr. McGee came to the country. (Hear, hear).

The motion for the adjournment was then withdrawn.

#### FENIAN RAID OF 1866

**Mr. Mills** moved for the correspondence between the Government of Canada and Great Britain with the view of claiming compensation from the Government of the United States for property destroyed in Canada by bands of marauders, publicly armed and organized in the United States. He said he assumed such a correspondence to have taken place, because he assumed that this Government, whenever it became necessary, would insist on the discharge of duties of international comity by the Governments of other countries. He supposed the persons chiefly of Irish origin who had connected themselves with the organization directed against the peace of this country in leaving their own country for the United States, to better their condition or otherwise, had no intention of engaging in hostile operations against Canada. Those organizations had had their origin not in Ireland but in the United States. The intention of these organizations was well known to Government, and in permitting persons to drill and arm and depart on marauding expeditions against Canada, he thought the Government of the United States

[Mr. McGee (Montreal West).]

had been guilty of want of good faith towards the country. He referred to the reception the Fenian leader, Roberts, had received on the floor of Congress, and expressed his opinion that a claim by Canada for compensation for Fenian depredations was stronger than that of the United States for compensation for depredation by the "Alabama".

**Sir John A. Macdonald** said there was no correspondence between this Government or the Government of the late Province of Canada and the Imperial Government asking compensation from the Government of the United States for loss of property and other injuries, including loss of life, occurring through the Fenian raid. They had to remember that the Government of the United States had its own difficulties, and perhaps they exercised their power with reference to these hostile organizations as strongly and as speedily as they could with due regard to ultimate results. At all events, he had no hesitation in saying that the Canadian Government had implicit belief in the good faith of the United States Government towards Canada. When it became clear that these parties were about to proceed from words to deeds, the United States Government, at great expense, sent large forces, commanded by their best officers, for the purpose of upholding the majesty of their own laws and preventing any infringement of our frontier. Considering also that the United States had causes of irritation on account of the "Alabama" and other vessels that were fitted out in England, and that this was a matter of angry discussion, it was not desirable to add fuel to the flames by sending in our demand for compensation. It should be remembered, too, that there were incursions on both sides—that there were incursions which we could not prevent from Canada to the United States—the St. Alban's raid and the proceedings on Lake Erie. But the Canadian Government were not insensible to the duty of asserting our rights when the proper time came, and the question of compensation should be referred, as he hoped it would be on an early day, to an arbitration between England and the United States. The Government of Canada would see that full claim for compensation would be put in through Her Majesty's Government to be considered in the settlement of the cross accounts for compensation between the two nations.

The motion was then withdrawn.

**Mr. Mills** moved an address for correspondence with reference to the rendition of the



leader of the Fenian invaders of Canada. He said when the question as to the rendition of the St. Alban raiders come before our courts, so far as there was any refusal of rendition, it was based on their acting by express authority of a belligerent government, which was responsible for their acts. But the parties who made raids on this country were in an entirely different position. They were not acting under the authority of any Government in existence. They were not belligerents in any proper sense, but came as individual marauders, and were guilty as individuals of murder and robbery. He thought it was the duty of the Government of this country to have demanded those persons from the Government of the United States.

**Sir John A. Macdonald** said there was no correspondence on the subject. No demand had been made by the Canadian Government for the rendition of those who came across the frontier and escaped back. The Government thought that to vindicate the law it was sufficient to deal with those who had been captured with arms in their hands, and a number of whom, on being convicted, had been sentenced to the Penitentiary for 20 years, which, in most cases, was equivalent to imprisonment for life.

The motion was then withdrawn.

#### NORTH-WEST TERRITORY

**Mr. Mills** moved an address for correspondence with reference to the acquisition by Canada of the North-West Territory. He said he renewed the motion which had been made some time ago by the member for North Leeds with the view of ascertaining whether the Government had yet received from England the expected answer to the address by both Houses.

**Sir John A. Macdonald** said the matter stood in exactly the same position as before. The Government were in daily expectation of receiving a communication from the Home Government.

**Hon. Sandfield Macdonald** inquired whether the Government had any information with regard to a painful rumour in the newspapers of a rising on the Red River, the report being that the inhabitants of that settlement had assumed to themselves the right to govern their own country, and had established a Provisional Government.

**Sir John A. Macdonald** said that the Government had no information on the sub-

ject; at the same time, he begged to remark that it seemed to him the Hudson's Bay Company had much to answer for, if in their desire to preserve a monopoly of that country they forced the people to take the course which rumour assigned to them.

**Hon. Mr. McGee** expressed his conviction, from what he knew of Mr. Thomas Speros, the alleged leader of the movement, that the rumour in the shape it had reached us was incorrect, whatever measure of foundation there might be for it.

The motion was then withdrawn.

#### STEAMBOAT INSPECTORS

**Mr. McCarthy** moved for a return as to inspectors of steamboats in the Provinces of Quebec and Ontario. Carried.

#### DOMINION STOCK

**Hon. Mr. Holton** moved for a statement showing the amount of Dominion stock sold, the names of the purchasers, and the rates obtained; also, from whom, for what amounts, and at what rates unaccepted tenders were received. He said in the conversation which took place a few days ago, when this motion was brought forward, the Minister of Finance objected to giving the names of those who made tenders. Did he object to giving the names of those to whom allotments of stock were made?

**Hon. Mr. Rose**—I objected to the production of all names.

**Hon. Mr. Holton** said he had been willing to withdraw the latter part of his motion; but if the objection was to producing names at all, he must let it stand as it was. The Minister of Finance had said there was no English precedent for such a demand. The reason was that in the modern system of managing loans in England, the object we had in view, to wit, the utmost publicity as to parties dealing with the Government, was obtained by the mode in which the Chancellor of the Exchequer gave out these loans. The tenders were opened in the presence of all the parties interested. The result was known all through the city, was given in the city articles on the day following the allotment, and there was no occasion, therefore, for such a motion as this in the English Parliament. He maintained that in the interests of public morality, looking to what had occurred with respect to public loans in other

countries, they should insist on the utmost publicity being given in some form or other to these transactions. He then referred to the report that large sums had been subscribed for by the Governments of Quebec and Ontario, the Court of Chancery and Bank of Montreal; and claimed that, with reference at least to these amounts, the House ought to have information. It might be immaterial to know what sums had been subscribed by individuals, but it might be necessary to obtain that information incidentally in order to reach what they really desired to know.

**Hon. Mr. Rose** contended that English precedent was against the demand now made. When loans were given out to the highest bidders, of course the names were known; but in cases like the present, the names of those who invested in public securities were never disclosed. It would be a violation of the trust reposed in the Government to disclose the names, and would diminish the value and popularity of the stock. A motion was on one occasion made in the House of Commons for the names of those who had 10,000 pounds and upwards of Government stock, with a view to taxation. The Chancellor of the Exchequer said "it would be very improper to give the names," and the demand was refused. We had a precedent also of our own. On the consolidation of the provincial debt in 1860 a return was moved, and it was brought down excluding the names, although the names were asked for in the motion.

**Hon. Mr. Holton** said if the honourable gentleman would give the return, so far as public bodies were concerned, the Provincial Governments, Court of Chancery and monied institutions, he would rest satisfied without the names of private parties.

**Hon. Mr. Rose** refused to accede to this proposition, and said there were benevolent institutions which had considerable amounts invested, as to which it would be improper to make a return.

**Mr. Mackenzie** said a large portion of our people were interested in those benevolent institutions, and had a right to know where their funds were invested; and those institutions, moreover, were bound by their charters to lay before this House a statement of all

[Mr. Holton (Chateaugay).]

their investments. As regarded the whole of the investments in Dominion stock, they were contracts with the Government. The parties offered to supply the Government with so much money for a certain consideration. When the tender was accepted, it became a public contract, and we were as much entitled to know who the contractors were, and who the intending contractors were, as we were entitled, for example, to get the names of all the parties who had tendered for the erection of these buildings. In the Canadian case referred to as a precedent for refusing information, if the Government refused to bring down the information sought in an address passed by the House, they violated the first principles of the constitution; and if Parliament failed to condemn the Government for so acting, it simply failed in its duty. Mr. Mackenzie went on to argue that it was essential publicity should be given to all transactions by individuals or corporations with the public finances, and that the spirit of the practice which prevailed in England was in favour of the demand now made.

**Sir J. A. Macdonald** said the honourable gentlemen opposite had stated that they did not mean to charge any impropriety in the Government in disposing of this stock, but that improprieties had occurred in past times. In the time of Walpole it was a recognized mode of rewarding political friends of the Government to throw loans into their hands. It was a crying abuse, but it was a well understood thing. To put a stop to this, a system was adopted of full publicity and giving the loans to the highest bidders. Perhaps, hereafter, if the House thought fit, that might be the plan adopted here, and the Finance Minister might be called upon to adopt a different mode of going into the market, if the plan recently adopted was not correct. Let it be changed, but meanwhile, he must object to giving names tendered for stock on the understanding that publicity would not be given to their tenders. If it could be shown that it was for the public good that the information should be given, then that would be a sufficient reason to set aside private feelings and convenience. But gentlemen opposite had failed to show how the information asked for was of importance to the public interest.

**Mr. Cartwright** agreed generally in the view taken by the leader of the Government, but thought it would serve a good purpose to know, and that it would do no harm to ascertain what sums were held by banking institutions, and what sums by other parties, including the sums taken up by banking institutions. Some idea would be given of the amount of capital in the country available for the wants of the Government.

**Hon. Mr. Dorion** spoke in support of the motion, and said as regarded the banks the information could be got through in a more round about way by moving for a return with reference to each banking institution of the Government securities it held.

**Mr. Street** doubted whether the House could claim a return of the debentures held by any banks. He did not think the bank charters authorize the Government to exact such information. He thought no good could result from the motion, and hoped it would not pass, believing it would have an unfavourable influence on those who might be disposed to invest their spare means in this security.

The motion was lost on a division.

#### NORTH-WEST TERRITORY

**Mr. Mills** moved for correspondence between the Government of Canada and the Government of Ontario with a view to obtain a surrender to the Government of Canada of that portion of the Province of Ontario known as the North-West Territory. He said the whole of the territory to the Rocky Mountains had been claimed as belonging to Upper Canada. As a large portion of it indisputably belonged to the Province of Ontario, it appeared to him that instead of waiting for action by the Government of Great Britain, there was nothing to prevent the Government of the Dominion from entering into negotiations with the Government of Ontario for that territory.

**Sir John A. Macdonald** said as far as he knew, there had been no correspondence between the two Governments on the subject.

As it was now six o'clock, and there was not business enough on the paper to require an evening sitting, the motion was allowed to

stand, that members might have another opportunity of expressing their views on the question it raised.

**Sir John A. Macdonald** moved that the House do now adjourn.

**Mr. Masson (Soulanges)**, expressed the hope that the Government would take more days in the week for its business, as private members had very little business on the paper. At the rate they were now proceeding they would be sitting here till June.

**Sir John A. Macdonald** said he would move on Friday to give the Government a third day in every subsequent week. He had waited till the House should be full before submitting this motion, that he might know what business private members intended to proceed with. He would also move that on days which were not Government days, after other business was disposed of, Government orders should be taken up.

**Hon. Mr. Holton** asked when the estimates would be brought down, and suggested that they should be brought down early, that odd hours, not otherwise engaged, might be spent in advancing them.

**Sir John A. Macdonald** said that the Minister of Finance had the estimates in a forward state of preparation, and he expected that they would soon be ready to be submitted to the Government.

The House then adjourned.

#### NOTICES OF MOTION

Among the notices of motion put on the paper this evening, were the following:—

**Mr. Savary** will ask, when the Currency Bill comes up for a second reading, that the 4th resolution be struck out, and that the 5th be amended so as to provide that the Canadian currency be assimilated to that agreed upon by the International Paris Conference, whether the Bill now before Congress pass or not.

**Mr. Stephenson**, on Monday, will ask whether Government intend to impose duty on repairs made on Canadian Vessels while in American waters; also, whether they intend to impose a tax upon American built vessels upon their being registered at Canadian ports.

**Mr. Keeler** will ask whether the Government intend to make provisions for any estimate for the construction of the Murray Canal.

**Mr. Workman** will ask whether the Government intend to appoint a fifth Judge in the Court of Queen's Bench for the Province of Quebec.

**Mr. Oliver**—Whether Government intend passing Mr. Cartier's Bill to reduce the value of American silver now in circulation in the Dominion, and at what value will it be made a legal tender.

**Mr. Magill**— Whether the Government intend to lay down a policy affirming the necessity of the adoption of a uniform gauge to be observed hereafter in the construction of all railways in the Dominion; also whether the Ontario Government did not exceed their authority in chartering a competitive line of railway which will be inimical to the interests of a line in which the Dominion Government have a large interest at stake—said line also leading to a foreign country at both its terminals.

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## HOUSE OF COMMONS

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Tuesday, March 24, 1868

The Speaker took the Chair at 3 o'clock.

### G. T. DENISON AND THE GEORGIAN

**Mr. Morrison** presented a petition from George Taylor Denison, of Toronto, praying compensation for damages caused by the improper seizure of the steamer Georgian.

### ECONOMIZING

**Hon. Mr. Rose** gave notice that he would introduce on Friday a Bill to regulate and restrict the contingent charges of the Department of Public Service.

### SECRETARY OF STATE FOR CANADA

**Hon. Mr. Langevin** moved the second reading of the Bill respecting the Department of the Secretary of State for Canada.

**Hon. Mr. Holton** said he had understood that all the Bills for the organization of the Department would be brought up together, and that the whole policy of the Government on the subject would then be brought under the review of the House. Not seeing the leader of the Government in his place he would suggest whether the Bill might not be postponed.

**Hon. Mr. Cartier** said the Minister of Justice did not desire the discussion referred to be brought on in the absence of their two colleagues, Messrs. Howland and Tilley, who at present could not attend on account of illness. He hoped, however, this Bill might be allowed to be proceeded with, as it was for the organization of an old Department, and the discussion as to the constitution of the Department generally would, with more propriety, be raised in connection with the new Department.

**Hon. Mr. Langevin** then proceeded to repeat the explanations he had given of this Bill in the early part of the session on introducing it. He stated that the Secretary of State for Canada would have, for the whole Dominion, the duties of the late Provincial Secretary for Canada, and as well as Secre-

tary, would be Registrar-General for the whole Dominion; besides he would have under his control the affairs of the Indians throughout the Dominion, and also the control and arrangement of the ordnance lands, which had been transferred by the Imperial authorities to the late Government of Canada. In framing the Bill, the Government had given special attention to securing, as far as possible, uniformity in the system of management of Indian lands throughout the different Provinces.

**Hon. Mr. Fisher** said in New Brunswick there were large tracts of Indian lands. On its Tobique River there were something like 10,000 acres of these lands. There were on these a great number of settlers having large clearances and large stocks of cattle. The policy of the Government had been not to disturb these people, but to sell them these lands at ordinary prices. He hoped it would be the policy of the Dominion Government that the rights of these people should be preserved. As regarded the ordnance lands, he had himself introduced a Bill placing them under the charge of the Secretary of State for War, and there had been no cession of them to the Province.

**Sir John A. Macdonald** explained that the ordnance lands referred to by the Secretary were certain ordnance lands which had been surrendered to the late Province of Canada. The ordnance lands had been held by the Imperial Government for naval purposes, canals and fortifications; but some years ago, except these at Quebec and some other points, they were transferred to Canada in trust for certain funds by which the Militia was to be kept up. By the Union Act the lands so surrendered to the Old Province of Canada became the property of the Dominion, and as there was no Commissioner of Crown lands in the Dominion, they were transferred to the Department of the Secretary of State. This Bill did not at all effect the Ordnance Lands spoken of by the member for York.

**Mr. Jackson** said there might be a valuation. He did not propose that the respective Provinces should pay more for these lands than they could collect.

**Mr. Jones (Leeds)** said he could understand the reluctance of the Premier of Ontario to assume the responsibility of managing the Indian lands. He thought, however, the feeling of the people of Ontario would be in favour of such a transference. He wished to draw the attention of the House to the expense of the management of Indian lands in the United States with their management here, although the quantity of Indian lands was vastly greater than in Canada. In 1863, the whole expense of the departmental management at Washington of the Indian lands was \$5,000. Here, even after the reductions made by the Secretary of State, the expense of the management at Ottawa of the Indian lands was \$5,140, being more than the whole expense of the management at Washington. He would take another opportunity of showing that the expenses of our Dominion Department were greater than the whole department expense at Washington. The people throughout the country were looking at the retrenchment effected in Ontario, and were expecting something of the same sort here. He thought the number of departments might very well be reduced. If there had been one Minister for New Brunswick, one for Nova Scotia, two for Quebec, and three for Ontario, the due proportion between the Provinces would have been preserved, and the whole number of Heads for Departments, instead of thirteen, would only have been seven, the same as at Washington. He found that the departments here had 243 employees, a greater number for managing business of three and a half millions of people than were employed at Washington to manage the business of thirty-five millions. He intended on a future occasion to urge more at length his views on the question of retrenchment, which he felt it his duty to press, even though his doing so might at times place him in opposition to his honorable friends on the treasury benches.

**Mr. Sproul** supported the view suggested by Mr. Jackson as to the transference of the Indian lands, on equitable terms, to the Local Legislatures. He suggested, also, that the land trust might be converted into a money trust.

**Hon. Mr. Langevin** said the expense of managing the Indian lands was necessarily increased by their being widely scattered in different parts of the country. The expense was borne by the Indian funds derived from the lands which were only held in trust by the Dominion. As regarded the suggestion by the member for North Bruce to convert the

[Mr. Jackson (Grey-South).]

land trust into a money trust, in order to promote the settlement of the country, it should be remembered that these lands were a sacred trust held for the Indians, that they were the property of the Indians, and that no change should be made which could in any way interfere with the value of the trust so held for them. He went on to give some details as to the management, sales and prices of Indian lands. He stated that the Indians, under the system adopted towards them by this Government, were increasing in number, instead of decreasing as in other parts of the continent, and he hoped the House would assist the Government in continuing to the Indians that sense of security which they now enjoyed.

**Hon. Mr. Dorion** stated that at Caughnawaga the Indians were constantly fighting, and a strong effort ought to be made to get these Indians to commute their lands. If Government could succeed in getting them to do this, a great remedy would be applied to the present derangements, and the Indians would be really benefitted. He would say let such of the Indians as wished to settle get a lot each, and let the remainder of the land be sold. Such an arrangement would be greatly to the benefit of the Indians themselves and the surrounding white population.

**Mr. Mackenzie's** experience of the Indians led him to a very different conclusion. He had lived for 20 years in the vicinity of a large tribe, and believed if the Indians commuted their lands and scattered, they would be anything but benefitted. The money they would get for commutation would soon find its way into other hands. Far better to let them settle on the lands. The true policy with regard to Indians, he believed, would be to endeavour to remove them for settlement from the vicinity of large towns.

**Hon. Mr. McDougall** said that when he had the honour of being in the same Government with the honourable member for Hochelaga, he had endeavoured to get these Caughnawaga Indians to come to some such arrangement as that advocated, but without effect. In Upper Canada the Indians had been treated as the proprietors of their lands. They were consulted regarding the disposal of these lands, and the practice had been found to work well. With reference to the propriety of handing over these lands to the Local Government, he would say the full power of administering these lands lay with the Federal Government, and it would be impos-

sible for this Legislature to hand over to any other hands the control or disposition of so important a matter; but if the Indians consented to dispose of their lands, as alluded to, the difficulty would be obviated.

**Mr. Snider** showed that it was the speculators, and not the actual settlers, who had caused loss to the Indian Department in the land sales. He contended that where white men went on Indian land they greatly added to its value, and that many such men who had gone into the bush had been badly treated by the Government. In his opinion, if the Government had given every mile of Indian land away, they would have benefited the country. As for white men taking timber on Indian land, he had never heard in his experience of such a thing, though he had heard of Indians damaging the white man's land.

The Bill was then read a second time and referred to Committee of the Whole—**Mr. Jones** in the Chair.

The Committee rose and reported the Bill with an amendment, and the Bill was ordered for a third reading on Friday next.

#### MARINE AND FISHERIES DEPARTMENT

**Sir John A. Macdonald** then moved the second reading of the Bill for the organization of the Department of Marine and Fisheries of Canada, from the Senate.

**Hon. Mr. Holton** thought that the Government, in moving this Bill organizing a new Department, ought to explain not merely this particular Bill, but their views regarding the organization of the new Department to be proposed by the Government.

**Sir John A. Macdonald** said that such a discussion would be obviously proper, and had hoped that it would have come on to-day, but the absence of the Minister for Trade and Customs, and the Minister of Inland Revenue had caused a delay. He would consent that the third reading should not be taken until after such discussion, which might take place once and for all upon the general merits of all the Bills. Upon continued objection from **Mr. Holton** he consented, however, not to press the second reading.

On motion of **Sir John A. Macdonald**, the Bill for continuing the Parliament of Canada in the case of the demise of the Crown, was read a second time at length, and ordered for a third reading on Friday.

#### EXTRADITION TREATY

**Sir John A. Macdonald** moved the second reading of the Bill entitled an Act Respecting the Treaty Between Her Majesty and the Government of the United States of America, for the apprehension and surrender of certain offenders. He explained that the object of the measure was the extension to the Dominion of the provisions of the Act previously in force in the Province of Canada, with the addition to the officers mentioned in the old Imperial Act of Commissioners who would be appointed under the Great Seal of Canada, to further the operation of this Act.

The Bill was read a second time.

On the motion to go into committee,

**Mr. Chamberlin** hoped the House would not resolve on going into committee on this measure now, as there were important differences of opinion regarding at least one of its provisions.

**Sir John A. Macdonald** had not the slightest objection to postpone going into committee.

The Bill was ordered to be referred to Committee of the Whole on Friday next.

#### GEOLOGICAL SURVEY

**Hon. Mr. Rose** moved the House into committee on the following resolution:—"That it is expedient to appropriate the sum of \$30,000 per annum for five years from the 1st day of July, 1867, to defray the expenses of the Geological Survey of Canada—any surplus in any one year to be applied towards the expenses to be incurred in other years."

**Mr. Street** was called to the Chair.

**Hon. Mr. Rose** explained that it was now considered essential to have this Geological Survey extended to Nova Scotia and New Brunswick, and it would not take less than five years to bring this great work to a conclusion. The sum voted was estimated by **Sir W. Logan** to be sufficient to perform this service.

**Mr. Mackenzie**—The Ontario Government will charge him for a license. (Laughter).

**Hon. J. S. Macdonald** had great doubts that the benefits derived from these geological surveys had been commensurate with their cost.

**Hon. Mr. Rose** totally differed with the honourable member.

**Mr. Mackenzie** supported the grant with good will. He found at one time Sir W. Logan had paid \$7,000 out of his own pocket towards these surveys. He had certainly done more than any other Canadian to draw the attention of capitalists abroad to the mineral resources of Canada, and it was to be hoped his services would long be spared to the country.

**Dr. Grant** said it afforded him great pleasure on the present occasion to offer a few observations on the geological survey of Canada. No more important topic had been before the House this Session, or one which was more closely associated with our future prosperity. In a new, rising and progressive country like the Dominion of Canada, it is absolutely requisite that every source of wealth should be turned to account. Money we require to ease the machinery of this new organization, and nowhere is it so accessible as in the rocks so widespread throughout the length and breadth of the Dominion. This being the first time the subject of the survey has been before the House, since the accession of our Nova Scotia and New Brunswick friends, he would on that account refer briefly to the history of the survey. It dates back to 1843, since which time Sir William Logan and his staff have explored the region from Gaspé to the northern part of Lake Superior. The minuteness of the examinations was regulated by the immediate requirements of the country, and the geological peculiarities of the sections under observation. In the inhabited sections, the shores of the St. Lawrence, the Ottawa, the lakes and their various tributaries, were followed, but in the settled portions of country, explorations extended into the interior. In many districts presenting little variety of geological structure, it was considered unnecessary to follow up extensive and minute examinations. Such has been the case on the North Shore of Lake Ontario. In Lakes Superior and Huron the want of proper Topographical Surveys rendered the explorations very difficult. However, within the last few years, many and extensive parts have been minutely examined, such as the country between the St. Lawrence and Ottawa, most of Lake Superior region, and various parts of Lower Canada. Thus we observe that notwithstanding many difficulties, Sir William Logan and his staff have collected, from personal observation, data as to the general, and in many sections, special, geological peculiarities of the greater part of Canada. So accurate have been the

[Mr. Rose (Huntingdon) ]

Topographical Surveys made, that according to the Deputy Commissioner of Crown Lands, grave errors in surveys previously made were rectified and much trouble thus saved to the country. The Laurentian, Silurian, Devonian and Carboniferous formations have been examined and reported upon, and in carrying out this work, specimens of geology and mineralogy were collected, many of which are on exhibition at the Montreal Museum of the Survey. He had frequently been asked what had been accomplished. The answer is easy to any lover of science who takes an interest in this country. Is it not satisfactory to know that Canada has done more towards the extension of geological research within a short space of time than any other country? In years past Sir William brought to light the existence of Crustacean tracks in the Potsdam sandstone; he established the parallelism of the disturbing forces throughout the Silurian, Devonian and Carboniferous eras, and his researches have settled beyond a doubt, that not only the Crystalline formations of the great Apalachian Range, but also those of the older rocks extending from the St. Lawrence to the Arctic Ocean are purely stratified sedimentary deposits, and to result of metamorphic action. More recently the discovery of animal life in the form of the "Eozoon Canadense", in the Laurentian Rocks of Canada has attracted the attention of the savants of Britain and Europe. This last discovery is alone sufficient to stamp the character and eminently scientific attainments of those in charge of the geological survey of Canada. True, science is well enough in its own way, but its money we require, and on that account the development of the mineral resources of the country should at present occupy the greatest share of attention. Gold we have at Madoc, at the Chaudière, recently our rocks in some parts of the Ottawa have been found to be gold bearing. Silver exists in large quantity at Lake Superior, also copper, and the latter metal at Acton as well. Plumbago and galena in various parts of the Ottawa Valley, also iron in great abundance. Now that we include the Lower Provinces, I will quote from Prof. Bell's remarks:

In 1866 the yield of gold in Nova Scotia 25,454 ounces, and it appears that for the present year not less than 30,000 ounces of gold will have been turned out. This would give about \$60,000, already, almost one-half of the value of the yearly yield of coal, in the same country. Since 1862 about 120,000 ounces of gold, or four tons and a half, have been secured, amounting in value to nearly two millions and a half of dollars, and all this simply as a beginning.



Thus we observe how extensive and widespread is the mineral wealth of the Dominion, and I feel satisfied that our friends from the Maritime Provinces must feel that in expending so large an amount of money, we desire fully to develop not alone the mineral wealth of one section in particular, but of the whole Dominion. Our country which is considered richer in minerals than any of the neighbouring States must be closely examined and the various reports widely circulated. Thus alone can the attention of foreign capitalists be attracted. At present vast sections of country remain unsold, which must, in a few years, become very valuable, and he was firmly of opinion that the expenditure of the amount stated by the honourable, the Minister of Finance, for the development of our mineral resources, is one of the best and most desirable investments we could possibly have. Under these circumstances he would have pleasure in supporting the resolution.

In reply to **Mr. Anglin**,

**Hon. Mr. Rose** stated that by the early part of May, as soon as the weather permitted, the operations of the survey in Nova Scotia and New Brunswick would be commenced.

**Mr. M. C. Cameron** maintained that the geological survey of Sir W. Logan had been of inestimable advantage to the country.

After the recess,

**Mr. M. C. Cameron** resumed his remarks. As a proof of the value of Sir W. Logan's service, he cited the various discoveries of salt in Canada, in consequence of this eminent geologist's reports and surveys. He (**Mr. Cameron**) would support the resolution.

The resolution was carried, and the committee rose. The report was ordered to be received on Friday next.

### THE CURRENCY

On motion of **Hon. Mr. Rose**, the House went into Committee of the Whole on certain resolutions on the subject of the currency—**Mr. Street** in the Chair.

**Hon. Mr. Rose** explained, in introducing the Bill, that it was a double measure intended to assimilate the currency of the Dominion, and at the same time carry out, if possible, the regulations arrived at in the recent International Congress of Paris, where arrangements were made for a unification of the currency of all nations. If the recom-

mendations of that Congress were carried out by England and the United States (and information since he had introduced his Bill led him to confidently expect that these countries would carry out the recommendations of the Paris Congress) then, the French 25 franc piece, the English sovereign and the American \$5 gold piece would be assimilated. He was quite aware of the extreme inconvenience and loss arising from subjecting people to a change of currency, and nothing but necessity would induce the Government to make any proposition of the kind. Such a change of currency unsettled, to a great degree, all the business operations of the country; but Government felt embarrassed by the state of circumstances that existed—the value of the Nova Scotia coinage differing from that of the other Provinces of the Dominion. The recommendations for an assimilation of the currency made in the Congress of Paris last year, and the action of the United States and England to carry out the arrangements of that Congress, necessitated action on the part of the Government. He was aware that a member (**Mr. Savary**) had introduced resolutions, declaring that the currency of the Dominion should be at once assimilated to that of Nova Scotia, and the consequences of the carrying out of such an arrangement would be that if the recommendations of the Paris Congress were not carried out, then the currency of the whole Dominion would be different from that of the United States, with which the communications of the Dominion were so numerous and complicated. The course proposed in the Bill before the House was, in his (**Mr. Rose's**) opinion, the right course. At present, the Government had merely to watch the progress of events in England and the United States, and if they found that England and the United States did not adopt the recommendations of the Paris Conference, then part number one would be put in force which extended the existing currency of Canada to Nova Scotia, and in the other, if the United States and England adopted the recommendation of the Congress of Paris, then part No. 2 of the Bill before the House would be enforced, making the English sovereign, the American \$5 piece and the French 25 franc piece of equivalent value. By this Bill also the Government proposed to take power to make foreign silver coin a legal tender at such rates as the Government saw fit, up to \$10. At present, Government had only the power to make foreign gold coin a legal tender.

There was another clause to which he would direct the attention of the member from Nova Scotia, as the House was aware the Nova Scotia dollar was something like 3 cents less in value than that of the rest of the Dominion, and when there were some \$8,000,000 of Nova Scotia debt, it might be a question whether that amount was to be represented by United States dollars or those current in the other Provinces. At present inland revenue duties were collected in Nova Scotia in Nova Scotia currency and stamps were specially struck off there. By this Bill, it was proposed that on a certain day to be declared by proclamation of the Governor, the inland revenue and stamps were to be collected according to the standard prevailing in the other Provinces. But it was not proposed to make any change until the action of England and the United States on the Paris Congress recommendation were known.

**Hon. Mr. Holton** thought the honourable gentleman made out an excellent case for leaving this matter of the currency alone for the present, by showing the great inconvenience flowing from frequent changes of the currency of the country, and he (Mr. Holton) agreed perfectly with these remarks. But notwithstanding this danger of meddling with the currency, the honourable gentleman proposed a change with regard to Nova Scotia, a very important part of the country, and, notwithstanding present appearances, destined to be a very important Province of the Dominion. (Hear). He proposed to make an important change in the currency of that country. Now, with the certainty, as the honourable gentleman affirmed, of another change in the currency within a short time, and in view of the non-desirability of frequent changes in the currency—in view of these things, it would be better to let Nova Scotia enjoy the currency she had, rather than unsettle the whole subject of the currency with almost the certainty of its being unsettled again within a year or two. The honourable gentleman's proposal of an alternative Bill was also a very objectionable one, and he (Mr. Holton) doubted whether, in any part of England or the British possessions a precedent for a double aided measure such as this would be found. He regarded it as exceedingly unwise to establish such a precedent. The essence of the honourable gentleman's proposition was that the people of Ontario, Quebec, and New Brunswick were to remain in the enjoyment of their present

[Mr. Rose (Huntingdon).]

system till a change took place in the United States and England, and if that change did not take place in six months, that then the currency of Nova Scotia was to be assimilated to the rest of the Dominion. He (Mr. Holton) thought the measure ill-timed and injudicious. The currency, as it stood, was applicable to a large portion of their population. Far better, then, leave it as it was, till the result of the unification movement in England and the United States had been made known. Far better do that than disturb the present currency in the United States by an order in council to be again disturbed in Nova Scotia and throughout the whole country a little later. He could not for the life of him see any inconvenience in maintaining the *status quo* in all parts of the country for another year. With reference to the silver question, if the clause quoted by the honourable gentleman was to be regarded as the fulfilment of his grand promise in November last—if it was to be regarded as the grand panacea for all the ills the country was suffering under—(laughter)—

**Hon. Mr. Rose** had not said it was anything of the kind.

**Hon. Mr. Holton**—The honourable gentleman told the House, on a previous occasion, that the 15 per cent duty on silver was but a preliminary step. Now, therefore, he brought down the main part of his policy, and what was it? That Government were to have the power of making foreign silver coins to the amount of \$10 a legal tender. Was that the fulfilment of his pledge?

**Hon. Mr. Rose** said the honourable member was misstating him.

**Hon. Mr. Holton**—Then perhaps there was to be a further policy on the currency? (Laughter). Surely there was not going to be another Currency Bill introduced that session? He (Mr. Holton) thought the whole question of the currency ought to be kept in suspense until they could deal with it intelligently and finally in view of the action of other countries.

**Mr. Savary** moved in amendment to strike out the 4th resolution, and to make the 5th resolution read so as to declare that it is desirable that the currency of Canada should be assimilated to that agreed upon by the international monetary conference of 1867; that in the event of the Bill now before the Congress of the United States becoming law,

the currency of Canada should be established on the same basis as those provided, and that, as a step towards the proposed international uniformity of currency, the currency of Nova Scotia should in the meantime be the currency of Canada, that is, the British sovereign to be one pound or five dollars, and British silver coins to bear the same relation to the sovereign in dollars and cents that they now bear to the sovereign in the currency of the United Kingdom. He said he could not see the point of the wit the other evening of the member for Montreal West, when he stated that he (Mr. Savary) would look upon the currency Bill of the Finance Minister as an outrage on Nova Scotia. He certainly did think it unfortunate that the change contemplated by the Finance Minister's resolutions and Bill should be against the interests of the Province which he (Mr. Savary) had the honour to represent. He thought it unfortunate that every change in the laws where Nova Scotia was concerned should be injurious and inconvenient to the people of that Province. He would meet the argument that, as being only one-tenth of the population of the Dominion, they ought not to be considered in matters of this kind, by saying that they ought to be considered at least in one case out of ten. (Hear, hear). But in no legislation which had yet come before this Parliament had the least consideration been paid to what were the laws and institutions existing in Nova Scotia. Mr. Savary then proceeded to argue the question on general grounds, and contended that if there was to be a uniformity of currency in all the Provinces, which he agreed was desirable, the Nova Scotia system should be adopted as the proper basis for such uniformity. It was derogatory to the dignity of this House that it should wait the action of the American Congress, but by bringing about uniformity on the basis of the Nova Scotia system, it would be in fact adopting a system almost identical with the scheme now before Congress. In Nova Scotia the system of passing the sovereign for five dollars and the English shilling for 25 cents had worked admirably. They had no trouble there from the "silver nuisance", caused by the influx of American silver, so much complained of in Canada. The resolution he had proposed as an amendment was, he thought, the only logical conclusion of the premises laid down by the Minister of Finance as to the desirability of assimilating the currency.

**Hon. Mr. Cartier** repeated in French the explanations which had been given by Mr. Rose in English.

**Hon. Mr. Rose** said he was sure it was the desire of every member of the Government and every member of the House to legislate in such a way as to conciliate the feelings and prejudices of their friends from the Lower provinces. But the honourable member for Digby had argued on wrong premises. He had argued as if it was proposed to subject the currency of Nova Scotia to the inconvenience of two changes—first, to the currency in Canada, and then to that of the International Conference; but the very object of having this Bill in two parts was to obviate any such difficulty. It was necessary they should take power to adapt their currency to the international standard in the event of its being adopted in England and the United States. Mr. Sherman's Bill provided that it should come absolutely into force on the 1st of January next, and that the coins should be called in for re-coinage on the previous 1st of October. This provided a solution of our silver difficulty. If they had failed to take power to assimilate our currency to that of the United States in the event of Sherman's Bill passing, they would have been justly open to censure for having remained impassive and indifferent to the consequences of what was going on around them, and for subjecting the country for perhaps a year to the inconvenience of having a currency different from what prevailed in the United States, and different also from what prevailed in England and Nova Scotia.

**Hon. Mr. Holton** was happy to hear we were to have a solution of the silver difficulty, only it appeared we were to be indebted for it to Senator Sherman, not to our own Minister of Finance, who in November promised some marvellous legislation in March which would rid us of the silver nuisance. He regretted that his honourable friend still conceived it his duty to proceed with this double-sided Bill. He ventured to say a precedent could not be found in the legislation of any country for such a measure as this, which provided an alternative legislation. One alternative to be law in a certain contingency, the other to be law in a certain other contingency.

**Hon. Mr. Cartier** said the legislation introduced by Mr. Sherman was itself contingent on its being adopted by France, Prussia, Germany and Italy. (No, no, laughter, laugh-

ter). He went on to argue that, inasmuch as we had no gold coin of our own, and as our currency was entirely dependent on the value of the English pound sterling, the alternative measures proposed by the Finance Minister furnished the only correct mode of dealing with the question.

**Mr. Bodwell** said the Bill would produce what should be avoided in all legislation, instability in commercial transactions, and this would chiefly be felt by the people of Nova Scotia, for they would remain for a considerable time uncertain whether their currency was to be assimilated to that of Canada or to that of Sherman's Bill. If to the former, their currency would be depreciated, and the coin which had hitherto been 25 cents would become of considerably less value. Every holder of a few pounds or a few shillings' worth of silver would say—"Here is another oppressive grievance arising out of Dominion legislation." He thought it was much to be regretted that all our legislation should seem to have a tendency to widen the breach with Nova Scotia, instead of healing the difficulty. He thought the amendment proposed by the member for Digby should be sustained by the House. The assimilation of our currency to that of Nova Scotia would be a step in the right direction, and would bring us very near the standard of the International Conference.

**Sir John A. Macdonald** held it to be no humiliation to make the legislation of one country contingent on the legislation of another. In many cases it was highly proper for two nations to endeavour to assimilate their laws, practices, and customs with each other. In trade, commerce, and finance it was especially desirable to have international arrangements. The Reciprocity Treaty furnished an instance in which we passed legislation, the going into operation of which was contingent on legislation by the United States. In the present instance, even if there had been no change proposed in the United States, it would have been necessary to have had a change here, for every one would admit that a unification of the currency of the different Provinces was highly desirable. In making a change it should be such as would be least inconvenient to the mass of the people, and it would cause inconvenience to a smaller number if Nova Scotia adopted the currency of United Canada and New Brunswick, than if the three Provinces adopted that of Nova Scotia. The operation of the change, however, was suspended until it

[Mr. Cartier (Montreal East).]

would be seen whether the United States and France adopted the scheme of the International Conference; which would be more in the direction of the system of Nova Scotia, but not identical with it. There would still be a difference of four cents in five dollars. The difference would compel a change in the currency of Nova Scotia in any event. Under no state of circumstances could the present currency of Nova Scotia be maintained, and it would therefore be idle to adapt our currency to that of Nova Scotia with the prospect of another change shortly to be made.

**Hon. Mr. Dorion** said a precedent had at last been found in the Reciprocity Treaty for this legislation. In that case, we merely adopted legislation which England previously made for us.

**Sir John A. Macdonald** said there was a similar precedent in our legislation in this Session. In the Customs Act, it was provided that the articles in Schedule D should be admitted free from the United States whenever satisfactory arrangements were made for admitting similar articles free into the United States. Sherman's Bill itself furnished another precedent. It provided that whenever it was ascertained that Great Britain had conformed the pound sterling to the value attached to five dollars in the Bill, then the value in British terms should be stated to be so and so.

**Hon. Mr. Dorion** said the first precedent cited was legislation dependent on a treaty to be made by Great Britain, which was entirely different from the present case. As regarded the argument from Sherman's Bill, the clause quoted referred only to the denominations of coins. Even if England did not adopt the law, if Sherman's Bill passed, the change in American currency would take place; but it was further provided that if England did adopt the law, then the British coins should be received under certain denominations. This was no precedent at all for the present legislation. He went on to argue the inexpediency of the system proposed. If it was desired to have a uniform currency at once, it would be better to adopt now the Nova Scotia currency, and then the transitions from that to the systems of the International Conference would be exceedingly easy. By adopting this course, they would be considered a fresh grievance by Nova Scotia. He thought, however, the course suggested by the member for Chateaugay was best, that they should

not interfere with the existing state of things until they were in a position to adopt a system that would be permanent.

**Mr. Mackenzie** could not understand the reason for the proposed change, even if the Government did carry their measure. He submitted the language of the 18th clause was wrong. His own conviction was that it would be much better the whole matter should be allowed to stand. Having defended the member for Chateaugay from the attack made on him, the honourable gentleman (Mr. Mackenzie) went on to regret that this measure should be pressed. Unless there were some stronger reasons for the Bill than that given, it was far better to defer the matter, particularly in the present discontented position of Nova Scotia.

**Hon. Mr. Rose** replied. Was it not convenient and necessary that the currency all over the Dominion should be the same? Were they to collect postages, customs duties, etc., at one rate in Nova Scotia, and at a different rate throughout all the rest of the Dominion? It was, too, quite evident whether the changes proposed by the Paris Congress were carried out or not, that the currency of Nova Scotia must be changed. He ventured to say that if the Government remained inactive in the matter, honourable gentlemen opposite would declaim much more loudly and more justly against the Government on this subject. It could not be doubted that the Government required to take the action they had done. It had been said existing obligations were going to be altered by the difference of 3 per cent, but that was not the case. Existing notes, contracts, or agreements which would be afforded by the change are excepted from the operation of the Bill expressly.

**Hon. Mr. Holton** maintained that the precedents cited on the other side were wholly inapplicable. He agreed fully that at the earliest moment, it was best to have an assimilation of the currency of the Dominion, but Confederation had been some nine months in existence with the present slight difference of currency, and better it should continue so longer than subject the people of the entire Dominion to a two-fold change such as proposed. Again, gentlemen opposite had been partly instrumental in obtaining Confederation, and must have known that it would necessitate alterations in the currency. Why not then have set about preparing such a measure at an earlier stage if it were so urgent.

**Mr. Mills** regretted the double contingency of this Bill. This feature of double possibility as it might be termed he regarded as quite a unique feature in legislation. He thought it an unwise measure, take it altogether.

**Mr. Lawson** regretted coming into collision with Nova Scotians on this measure but the fact was the metallic currency there passed for more than its real value, and the present measure merely reduced the coin of that Province to its real value.

**Hon. Mr. Huntington** said that this, as all the other Government measures, was declared to be one which must be pushed through in hot haste. The necessity of uniformity in their legislation was admitted by all, but clearly this was not the time to do it, and their doing it at this time would array against the Government once again the Nova Scotia members as a solid phalanx. Under all the circumstances, he cautioned the Government to hesitate before they again furnished the opponents of Confederation with a weapon against it.

**Mr. Anglin** would feel bound reluctantly to vote against the resolution of the honourable member for Digby. At the same time he regretted that the Government brought forward their measure at this time.

The resolutions were then carried, and the committee rose, and the report was ordered to be received on Friday next.

#### BANKS AND DOMINION NOTES

**Hon. Mr. Rose** moved the House into Committee to consider the following resolutions:— "That it is expedient to extend the privileges granted to banks in the Provinces of Quebec and Ontario by an Act of the Legislature of the late Province of Canada, 29-30 Vic. Cap. 10, to banks in any part of Canada, so as to enable them to use notes of the Dominion instead of issuing notes of their own, and to authorize the issue of Dominion notes for this purpose, and also to issue and re-issue a balance of Provincial notes remaining unissued of the amount authorized by said Act.

**Mr. Street** was called to the Chair.

**Hon. Mr. Holton** said that a little while ago the honourable member opposite had strongly advocated the unification of the currency of all the Provinces; now he came down and proposed to have three classes of paper tenders in the various Provinces, one set in

Ontario and Quebec reposing on an entirely different coin valuation. That was a curious commentary on the doctrine enforced with so much zeal during the early hours of the evening.

**Mr. Anglin** said that people of the Lower Provinces would not be pleased unless these notes were made redeemable at any office in the Dominion, no matter where issued.

**Mr. Mackenzie** regarded the Bill as far more objectionable from a more serious point of view. The whole financial legislation of honourable gentlemen opposite had a tendency to distract the commercial interests of the country. This Bill was a direct attack on the banking institutions, and all the monied relations of the Provinces with one another. In fact, honourable gentlemen opposite from first to last appear to have directed all their energies to raising forced loans from the people at whatever hazard. Their legislation throughout had been of a most extraordinary character. Not long since, it had caused the Bank of Montreal to withdraw from circulation in Upper Canada \$2,000,000, and but for the prosperity of that section at the time that action would have had a most disastrous effect. The country was not in so prosperous a state as to bear constant tampering with its financial interests. As he had said, the great aim of financial legislation at present appeared to be to force what loans was possible out of the people. Insurance Companies, it recently appeared, were to be compelled to pay \$101,000 each into the treasury. In this and similar ways, the financial wants of the country were, it seemed, to be met. And before proceeding farther he would urge on the Government to come down honestly with their financial policy so that the sense of the House and the country might be taken on it. He was annoyed at the levity and trifling

[Mr. Holton (Chateaugay).]

manner with which the honourable gentleman opposite had presented the resolution asking in a most indifferent manner if there was to be any discussion on it? Did he really think the House would allow a measure of that kind to pass through without even a word of protest? The truth was, the whole scheme was intended not to afford a convenience to commercial interests, but to play the same game with the Lower Provinces as had been played with Ontario, in order to raise a forced loan. He merely rose to make a few general observations on the policy of the measure, and hoped before long to have an opportunity of entering at length into an analysis of the policy which the Government appeared to have adopted.

**Hon. Mr. Rose** said that the Bill was almost simply a transcript of that introduced by the member for Sherbrooke, two sessions ago, and its effect was to make the notes of the late Province of Canada notes of the Dominion. That he took it, was one of the necessities of their position. At this moment there were three-quarters of a million dollars of notes of Nova Scotia issued, which were redeemable in gold, and for which no provisions had been made. Why should not the Government have power to substitute for these notes, as they came in for redemption, notes of the Dominion to an equal amount? That was one of the main objects intended to be provided for by the Bill. He could assure the House that he had not the slightest idea of treating the matter with levity.

**Mr. Gibbs** hoped the measure would be postponed.

The resolution was adopted, and the Committee rose. The report was ordered to be received on Friday.

At eleven o'clock the House adjourned, to meet again on Thursday.

# HOUSE OF COMMONS

Thursday, March 26, 1868

The Speaker took the Chair at three o'clock.

## INTERCOLONIAL RAILWAY

Several petitions praying for the adoption of Major Robinson's route for the Inter-colonial Railway, were received.

## YAMASKA ELECTION PETITION

Mr. Walsh presented a report of the General Committee on Privileges and Elections, naming the members chosen to serve upon the Select Committee for trial of the Yamaska Election petition, viz: Messrs Fortin, Jackson, Bourassa, Parker, and Casault, Chairman.

## ELECTORAL DISTRICTS

Mr. Godin moved for leave to introduce a Bill entitled, "An Act to change the limits of the Counties of Joliette and Berthier for election purposes," which was granted, and the Bill read a first time, the second reading being fixed for Monday.

The following Bills were introduced by Mr. Mills, read a first time, and the second reading fixed for Monday, viz: A Bill entitled "An Act to facilitate the removal of obstructions in the river of Sydenham," and a Bill entitled: "An Act to amend an Act for the consolidation of the Statutes of Canada."

Hon. Mr. Chauveau moved for leave to introduce a Bill to enlarge the electoral limits of the County of Quebec, which was read a first time, and the second reading fixed for Tuesday.

## QUESTIONS

It was elicited from Ministers in reply to the understated questions, viz:—

Mr. Chamberlin—Whether it is the intention of the Government to make provision in the estimate for the completion of the library building connected with the Houses of Parliament?

Hon. Mr. Cartier said it was not the intention of Government during the present session to make provision in the estimates for the completion of the Library Building connected with the House of Parliament.

## WEIGHTS AND MEASURES

Mr. Gibbs—Whether it is the intention of the Government to introduce a measure assimilating weights and measures throughout the Dominion?

Hon. Mr. Rose said it is not the intention of Government this session to introduce a measure assimilating weights and measures throughout the Dominion.

## INSPECTION OF WHEAT AND FLOUR

Mr. Gibbs—Whether it is the intention of the Government to assimilate the laws of the several Provinces of the Dominion with regard to the inspection of wheat and flour either by extending the provisions of the Act of 22nd Vic., Cap. 47 of the Con. Statutes of Canada to the Dominion, or by the introduction of a new measure; and if the latter, whether the method of appointing Inspectors under the Act aforesaid will be continued?

Hon. Mr. Rose said the question of assimilating the laws of the several Provinces of the Dominion with regard to the inspection of wheat and flour, was engaging the attention of the Government. In Canada inspection was not compulsory, while at Halifax and Saint John it was compulsory, and it was desirable that it should be made uniform. But he might remark the Canadian inspection of flour stood well in all parts of the world, and would no doubt be accepted in the Lower Provinces.

## MILITIA BILL

Mr. Stephenson—Whether, in forming the provisions of the Militia Bill, promised this session, the Government have considered the propriety of granting crown land or pensions to volunteers, as reward for past services, or services that may hereafter be rendered to the country in a military capacity?

**Hon. Mr. Cartier** said that the Militia Bill would be very shortly laid before the House when it would be seen that the question of granting compensation to Volunteers or Militia men who might be entitled thereto by their services, had engaged the attention of the Government, Mr. Cartier adding that the Crown Lands were not under the control of the General Government. (Laughter.)

#### JUDGE RESIGNED

**Mr. Workman**—Whether it is the intention of the Government, at as early a day as possible, to appoint a fifth judge in the Court of Queen's Bench for the Province of Quebec, and thereby remedy the great loss and inconvenience now suffered by suitors in that Court?

**Hon. Mr. Cartier** said one of the Judges of the Court of Queen's Bench, Province of Quebec, had, some time ago, tendered his resignation, and asked a retiring allowance. The question was now engaging the attention of the Government.

#### AMERICAN SILVER

**Mr. Oliver**—Whether it is the intention of the Government, on the passing of the Currency Bill, to reduce the value of American silver now in circulation in this Dominion, and at what value and amount will it be made a legal tender?

**Hon. Mr. Rose** said it was the intention of Government in the Currency Bill, to take power to make American silver a legal tender up to a certain amount, at such a rate as the Governor-in-Council may determine.

#### RAILWAY GAUGES

**Mr. Magill**—Whether it is the intention of the Government to lay down a policy affirming the necessity of the adoption of a uniform gauge to be observed in the construction of all railways hereafter to be constructed in this Dominion; and also, whether the Local Government of the Province of Ontario has not exceeded the bounds of its authority in charter—in a competitive line of railway, which, if constructed, would be inimical to the interests of a line in which the Government of the Dominion has a large interest at stake, said newly chartered line leading also to a foreign country at both its termini?

**Hon. Mr. Cartier** said the Bill he had introduced would state the policy of the Government with regard to the gauge of

railways to be incorporated by the Parliament of Canada. Whether the Parliament of Ontario had exceeded its authority in any instance was a legal question, which could only be determined when the question was raised as to disallowing any of its Acts.

#### NORTH-WEST TERRITORY

**Mr. Redford**—Whether it is the intention of the Government, in view of the opening up of the North-West Territory, to employ any extraordinary measures to encourage immigration, such as sending agents to some of the European countries, or otherwise?

**Hon. Mr. Cartier** said so soon as Government was possessed of the great North-West Territory, it would not lose a moment in doing all in its power to settle the country.

#### DISTRIBUTION OF THE STATUTES

**Mr. McConkey**—Whether it is the intention of the Government to supply the Magistracy of the Dominion with the Statutes as heretofore; and if not, what mode they intend to adopt to diffuse the laws of the Dominion among the people?

**Hon. Mr. Cartier** said the question of the distribution of the Statutes among the magistracy and others, was now engaging the attention of the Government.

#### COPPER COIN OF THE BANKS

**Mr. Cheval**—Whether it is the intention of the Government to compel the Banks in Canada to withdraw from circulation the copper coin issued by them?

**Hon. Mr. Rose** said the Government had no power to compel the banks to withdraw from circulation the copper coin issued by them. This coin was a claim in the hands of the holders against the banks which issued it.

#### TONNAGE DUES ON AMERICAN VESSELS

**Mr. Walsh**—Whether it is the intention of the Government during the present Session to impose a tonnage license upon American vessels trading to Canadian ports, equal to the tonnage dues now imposed upon Canadian vessels trading to American ports?

**Hon. Mr. Rose** said when the policy of the Government with respect to trade was brought down, the question as to the imposition of tonnage dues on American vessels trading to Canadian ports equal to the ton-



nage dues now imposed on Canadian vessels trading to American ports would come up for consideration.

#### GOVERNMENT EXPENSES FOR PRINTING, ETC.

Mr. Young moved an address for a return of all sums paid by the Government for printing, advertising, stationery and pens, during '65, '66 and '67, and for advertising and subscription to the "Canada Gazette" during the same period. He said his object was to bring prominently before the House and the country the great expense incurred under these heads. He found by the public accounts of 1867 that in that year one establishment received no less than \$33,000 for printing and stationery, and this amount of printing having been given without any contract, and he had no doubt at the highest prices going in the trade. If it had been given out by contract, he was satisfied the work would have been equally well done, and a saving affected of at least 33 per cent. A few years ago the printing of the House cost as much as \$160,000 per annum, but through the exertions of the printing committee, under the supervision of its chairman (Mr. Mackenzie) and Senator Simpson, it had now been reduced to an average of \$25,000 per annum. He would like to see a similar system adopted with reference to the departmental printing. Let it be given out by contract, and a large saving would be effected. He had introduced the word "pens" into his motion in consequence of having seen in the public accounts of 1867 some extraordinary charges under that head. In the Provincial Secretary's office alone \$346 were paid for pens, and in the Receiver-General's \$412. As regarded the Queen's printership, though the gentleman who now filled that position did the work as well as those who had preceded him, he thought the time had come when Government should bring about a change.

Hon. Mr. McDougall said the information asked for could all be found in the public accounts. The Government, however, would not oppose the address, as it might be thought, in view of the objects the honourable gentlemen sought to obtain, the labour required in bringing the facts together into one document might be well bestowed. As regarded the mode of dealing with the Government printing in future, whether by the contract system or otherwise, the whole subject was now seriously engaging the attention of the Government.

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Mr. Jones (Leeds) regretted that the Government should require so long a time to come to a conclusion as to the best mode of conducting the public printing of this country. It was a notorious fact that the printing of the official "Gazette" was attended with little or no advantage to the general community. It was printed at a large expense and was sent only to a very few persons. The sheriff's advertisements of sales of land, etc., he thought would get sufficient publicity by being published in the local newspapers. If ever there was a time when measures of retrenchment and reform could be carried out it was the present. There was no party prejudice, and the Government had a sufficiently strong support to enable them to carry such measures.

Mr. Young said it was true that the information asked for could be found in the public accounts. He desired, however, to have it in a shape in which it would be accessible to members.

The motion was carried.

#### CLAIM OF SHERIFF OF HALTON

Mr. White, on his motion being called for an address for accounts claimed to be due by Government to Mr. George McKindry, Sheriff of Halton, said that having learned that Mr. McKindry's accounts had been disallowed, he would not press his motion.

#### MANITOULIN ISLAND

Mr. Mackenzie moved an address for the correspondence and petitions complaining of the conduct of the Agent for Indian Affairs at Manitoulin Island; also for the report of the Commissioner appointed to investigate the matter. He said he had had a good deal of correspondence from Church of England clergymen, and from parties who took a deep interest in the condition of the Indians on the Georgian Bay. The statements were somewhat conflicting but the impression he gathered from the whole correspondence was, that while the Indian Agent, Mr. Dupont, had been to blame very much for his share in the transactions to which this motion referred, other parties had been at least as much to blame, if not more so. Mr. Dupont, so far as he had been able to ascertain, had hitherto discharged his duties with great zeal and success. When the papers were brought down he would endeavour to call the attention of the House to the subject at a subsequent period.

**MR. SANFORD FLEMING'S REPORT**

**Mr. Bodwell** moved that it be an instruction to the Printing Committee to take into consideration the propriety of printing a number of copies of Mr. Sanford Fleming's report on the Intercolonial Railroad for the use of members. He said he did not desire to advocate any particular route, but thought it most important that the fullest information as to the route of the Intercolonial should be in the possession of members.

**Mr. F. Jones** specially desired it to go out to the country, that Major Robinson, who was as able an authority as any that could be now found in the country, had, in his report stated, after two years' exploration, that no further effort could succeed in discovering any other route to be recommended. He believed that Mr. Fleming's survey had not been ordered for the general good, but only for the purpose of gaining a delay—a delay which he himself did not, as a representative of Ontario regret, and would not regret greatly if the road were never built at all.

**Hon. Mr. Fisher** thought it would be a proper thing to spend the whole summer in further surveys; these he was satisfied would show the practicability and superior advantages of the central route, and would save the country the large expense which would be entailed by adopting a wrong route.

**Mr. Mackenzie** asked when the return which he had moved for a week ago, as to the names of engineers employed in connection with the Intercolonial Railway, would be brought down.

**Hon. Mr. McDougall** said instructions had been given to the proper officers, and the return would be brought down as speedily as possible.

The motion was then carried.

**REPORT OF PRISON INSPECTORS**

**Hon. Mr. Gray** moved an address for the report of the Prison Inspectors of the late Province of Canada, and on the prisons of Nova Scotia and New Brunswick. Carried.

**INTERCOLONIAL RAILWAY**

**Mr. Oliver** moved for copies of offers made to the Government relative to the building of the Intercolonial Railroad. He said it was reported that offers had been made to the Government for the construction of the road,

or a certain section of it, for a subsidy. It was said there was a tender to build the road from Riviere du Loup to Woodstock for the subsidy of six million dollars. If this was accepted, the construction of the line from Moncton to Truro would cost \$5,200,000. Add five per cent for contingencies, and the whole cost would be \$11,750,000. It was also reported that an offer had been made to the Government to build the road from Riviere du Loup to Fredericton for the subsidy of \$8,000,000. If this offer were accepted, the whole road would cost the country \$33,560,000. Then, it was stated in an Ottawa paper to-day that an offer had been made to construct the road from Riviere du Loup to Truro for \$14,600,000. If such offers had been made, it was desirable that they should be made known to the House and the country. Mr. Oliver went on to remark that the people of Ontario had a deep interest in this question of route, because they would have to pay one-half the expense of the road, although they would derive no direct benefit from it. It was their interest that it should be built by the line which would be cheapest, and which would make the railway, as a commercial undertaking, the most useful and most remunerative. As regarded the military point of view, he had come to the conclusion that one line was as good as the other. When we saw the Grand Trunk passing within gunshot of the American forts at Ogdensburgh, he did not think it could be a fatal objection to the road from Riviere du Loup to Fredericton, that it would come within ten miles of the American frontier.

**Hon. Mr. Cartier** said the Government had not called for tenders; but certain gentlemen, from different parts of the Dominion, had taken upon themselves to send in tenders to the Government. These would be forthcoming in reply to this address.

**Hon. Mr. Holton** asked if the Minister of Public Works had gone to Montreal early in February, and putting himself in communication with certain influential capitalists there, had not, acting on behalf of the Government, obtained from them a proposition to build the road by a certain line, viz., from Riviere du Loup to Woodstock? They had been told the other night by the leader of the Government that there was a majority and a minority in the Cabinet on this question. Such a state of things with reference to an important matter like this, he conceived to be at variance with the most elementary principles of Responsible Government.

**Hon. Mr. McDougall** said the Minister of Public Works did not at Montreal, or elsewhere, on his own behalf as an individual, or on behalf of the Government, invite anyone to tender for the construction of any part of the Intercolonial Railway. The leader of the Government did not say there was a majority and a minority in the Cabinet on the question itself. What he said was that a majority of the Government were of opinion that sufficient information had been obtained, but that a minority thought they had not sufficient information, and that in deference to them further information was asked for. When the question came up, with this further information for consideration of the Government, he hoped and prayed, in the interest of this country, that they would arrive at that decision which was best, under all the circumstances.

**Dr. Parker** said he had understood the statement of the leader of the Government to be that there was a majority and a minority in the Cabinet on this question, and this was borne out by all the facts that were before the public. They had seen members of the Government actively canvassing on both sides the members of the House for the rival routes; and some of them going the length of putting up plans and profiles in the smoking room to influence members in favour of one of the routes.

**Mr. Mackenzie** thought it unfair that the Government should have selected the smoking room for the exhibition of these plans and profiles, so that the members who did not resort there could not derive any benefit from them. He was informed they belonged to the Government, and were placed there by a member of the Cabinet, and that another member of the Cabinet on seeing them there expressed his indignation at this violation of the secrets of the Privy Council by emphatically invoking the name of a certain black personage. (Laughter). If the Government meant that the amount of information members of this House were to obtain was to depend on the amount of tobacco they consumed, it was time they understood it. The position of the question as to this Intercolonial Railway seemed to be getting worse every day, but there was some hope that it would be bettered when the Minister of Public Works had got to the length of praying for its success. (Laughter).

**Hon. Mr. Cartier** suggested that as the Minister of Public Works had got to the

praying mood, the member for Lambton should get to the smoking mood, in order to arrive at a solution of this great question. (Laughter).

**Mr. Jones (Leeds)** thought no importance should be attached to these volunteer tenders. He was satisfied they were got up in order to influence the Government with respect to a certain route.

**Mr. Rymal** thought that it was time that this continual quibbling regarding the Intercolonial Railway should be dropped. The Government had taken the matter into their own hands, and it had not been productive, he believed, of much harmony among them. (Laughter). He thought it better to leave it with them entirely, having no doubt but that the elephant would be able to play hob among the whole of them. (Much laughter).

### FISHERIES

**Mr. Fortin** moved the appointment of a special committee on the subject of the fisheries. He said it would be the business of the committee to ascertain the present condition of the fisheries, their capabilities, and their productiveness; and if they were in a depressed condition, to suggest the best modes of fostering and developing them. We were a new nation, and the various members of the nationality should make themselves acquainted with each other's remarks. He would ask whether at present the gentlemen from New Brunswick and Nova Scotia were acquainted with the fisheries of the upper lakes, their extent and productiveness, and the trade to which they gave rise between Ontario and the United States; and he would ask the gentlemen from Ontario, and even the Province of Quebec, whether they were well acquainted with the fisheries of New Brunswick and Nova Scotia, and even the fisheries of Quebec in the Gulf and lower part of the St. Lawrence, the number of men employed, and the immense amount of the produce of these fisheries yearly exported to foreign countries. Another of the committee's duties would be to compare the present state of the fisheries with what it was five or ten years ago, so as to see whether they had advanced or receded.

Six o'clock having arrived, the motion was allowed to stand over.

**Hon. Mr. Cartier** said there was nothing on the order paper to require an evening sitting. This not being a Government day, and there

being only two Bills in the hands of private members on the paper, he moved that the House do now adjourn.

The House then adjourned till to-morrow.

#### NOTICES OF MOTION

The following notices have been given:—

**Mr. Cartwright**—Inquiry whether Government will take steps to facilitate the procuring of copies of the Consolidated Statutes by members of the legal profession and others.

**Mr. Campbell**—Inquiry whether Government is in possession of any and what information touching the imposition by the United States Government of additional duties on British caught fish, or of any changes prejudicial to the fishery interests of the Dominion; also, whether Government intend to impose any and what additional tonnage dues on United States fishery vessels.

**Mr. Blanchet**—Inquiry whether Government intend to introduce a measure to assimilate the laws of the several provinces respecting the inspection and measurement of merchantable timber.

**Mr. Stephenson**—Address for a return of the expenditures for dredging under the appropriation of \$30,000 made in 1861; also for the expenditure on surveys of Harbours of Refuge on Lake Erie and Huron.

**Mr. Young**—Inquiry whether the sum of \$39,819 said by T. D. Harrington, Deputy Receiver-General, in a letter dated 16th January, 1867, to have been paid into the Bank of Upper Canada, but not credited to the late Province of Canada, has been allowed by that institution.

[Mr. Cartier (Montreal East).]

**Mr. Jones (Leeds)**—Address for statement of expenses connected with the survey of the Intercolonial Railway since the appointment of Mr. Sandford Fleming in 1863.

**Mr. Oliver**—Amendment to the Currency Bill, to provide that American silver coins shall be a legal tender in Canada in sums not exceeding \$100 in any one payment, at the rate of \$1 for \$1.25 of their nominal value.

**Mr. Burpee**—Whether Government intend during the present session to propose a re-adjustment of the Tariff, with the view of abolishing the duties on flour, corn and corn meal, and reducing the duties on sugar, molasses and tea, and other staple articles largely used by the industrial classes.

**Hon. Mr. Dorion**—Address for correspondence since 1st July, 1867, with reference to any fortifications proposed to be erected within the Dominion, and a statement of all sums paid since that time for plans, surveys, or works relating to said fortifications, and out of what appropriation the same have been paid.

**Hon. Mr. Dorion**—Committee of the Whole to consider a resolution providing for the transmission of newspapers from one part of the Dominion to another free of postage.

**Mr. Bown**—Address for accounts rendered to the Department of Public Works on account of the entertainment of the Prince of Wales in Brantford in 1860.

**Hon. Mr. Dorion**—Bill to continue and extend the charter incorporating La Banque du Peuple.

**Mr. Colby**—Address for the memorial addressed to the Government on the subject of the duty on hops.

# HOUSE OF COMMONS

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Friday, March 27, 1868

The Speaker took the Chair at 3 o'clock.

## MEGANTIC

The Speaker read a communication from the petitioners against the return of Mr. Irvine for Megantic, withdrawing from the contest.

## ROADS IN TOWNSHIP SARAWAK

Mr. Snider presented a petition from the inhabitants of Sarawak, praying that the Indian Department should expend some of the money received for Indian lands in opening up roads in that township.

## SAW-LOGS

Mr. Jones (Leeds) presented a petition from the inhabitants of Leeds and Grenville, praying that no export duty be imposed on saw-logs, shingle bolts, etc.

## LEAVE OF ABSENCE

Mr. Walsh moved that leave of absence be granted to Mr. Joly, a member of this House, for one month on urgent private business. Carried.

## INDEPENDENCE OF PARLIAMENT

Before the orders of the day were called,

Hon. Mr. Holton asked when the leader of the Government would introduce his promised Independence of Parliament Bill?

Sir John A. Macdonald said on Monday.

## SENATOR CHAPPAIS AS WITNESS

Sir John A. Macdonald moved that a message be sent to the Senate requesting Their Honours to give leave to the Hon. Mr. Chappais to attend to give evidence before the Committee on Privileges and Elections—Carried.

## GOVERNMENT BUSINESS

Sir John A. Macdonald moved that Government measures have precedence on

Thursday during the remainder of the session, and that Government measures be taken up on all days not being Government days after the other business of the House is gone through. Carried.

## YAMASKA ELECTION

Messrs. Parker, Bourassa, Fortin, Jackson, and Casault, Chairman, were sworn in at the Clerk's table as a Committee to try the Yamaska election case.

## MILITIA AND DEFENCE

Hon. Mr. Cartier gave notice that on Tuesday he would introduce a Bill respecting the Militia and defence of the Dominion of Canada.

## OFFICIAL REPORT OF DEBATES

Mr. Mackenzie moved the adoption of the 5th report of the Printing Committee, which recommended the publication of an official report of the debates—at an estimated cost of \$12,019 for a session of sixty working days.

Mr. Shanly said he believed the estimate of \$12,000 for a session would be found far short of the actual cost. He saw no necessity for this official report as he considered the newspapers faithfully and impartially reported the debates.

Mr. Lawson was satisfied that if the report was adopted, the cost now estimated would be doubled or quadrupled. At Washington, he was told, the *Congressional Globe* received a direct annual subsidy of \$100,000; and perhaps we would find ourselves involved in an expense even larger.

Mr. Mackenzie said the Printing Committee had been instructed by the House to inquire into the best mode of procuring an official report of the debates. They presented this as the best mode. Having thus fulfilled the instructions given them, it was a matter of indifference to them whether the House adopted the report or not. He would say, however, that a limit being fixed of an average of 14 columns per day, at fixed prices for reporting and printing, the cost could not possibly exceed the estimate by one cent,

unless the House ordered a different limit, or unless it sat more than sixty working days, which was not at all probable.

**Mr. F. Jones** opposed the motion, contending that precedent showed that such printing estimates were likely to fall short of the actual expense incurred. He thought that the press furnished fair and faithful reports, although not perhaps sufficiently extended to satisfy honourable speakers (hear and laughter), and for his part, desiring less to appear to the country as an orator than to save the money of the people, he would vote for an amendment. The adoption of the report would give an undue advantage to one section of the press to the disadvantage of another.

**Mr. Dufresne** was disposed to oppose the motion on economical grounds, but called the attention of the Speaker to the point as to whether the amendment was in order, which the Speaker ruled in the negative.

**Mr. Metcalfe** thought that as economy was the order of the day, and as speeches even from the honourable member for Leeds, were a source of public expense, the most desirable thing possible was to adopt the report in full as, when honourable members came to see themselves in print verbatim, they would be ashamed to say so much about so little. (Much laughter and applause.)

**Mr. Chauveau (in French)** contended that the speeches delivered in French were most imperfectly reported in the press—French newspapers, although exerting themselves to the utmost, not possessing the advantages enjoyed by their English contemporaries; and would support the motion, as giving an opportunity of making generally public those French speeches which would not otherwise appear at length.

The House having divided, the vote was declared to be—**Yeas 48; nays 91.**

Attention was called to the fact that three members of the Ministry, Sir John A. Macdonald, Mr. Cartier and Mr. Rose, had not voted. These gentlemen then voted nay, making the division 48 to 94; and the motion was declared lost.

#### GEOLOGICAL SURVEY

**Hon. Mr. Rose** moved concurrence in the resolution of the Committee of the Whole, appropriating \$80,000 for Geological Survey.

[Mr. Mackenzie (Lambton).]

**Hon. Mr. Holton** objected that the proposed appropriation had not been recommended by message from the Governor-General, and that it was therefore incompetent for the House to pass it.

**Hon. Mr. Rose** said it was covered by the message from His Excellency in the early part of the session recommending a general vote of credit.

**Hon. Mr. Rose** denied that this could be the case. The general vote was for a period of nine months only, while this appropriation was for a year.

**Mr. Mackenzie** said that the resolution could not be allowed to proceed. The House ought to exercise the greatest vigilance in getting estimates in detail of the expenditure required for the public survey, and these estimates must be recommended by message. He read from the Union Act and from the work on practice of the English House of Commons, to show that this was a principle which could not be violated.

**Sir John A. Macdonald** conceded that the objection was a valid one, and said his honourable friend would move that the resolution be recommended.

**Mr. Mackenzie** thought the motion now suggested was equally out of order. The resolution must be dropped and the proceedings commence again from the beginning.

**Hon. Mr. Holton** remarked that he had not brought up this point in any captious spirit, but with a desire that an important constitutional principle should be observed.

The resolution was then allowed to drop.

#### THIRD READINGS

The following Bills were read a third time and passed:—

Respecting the Department of the Secretary of State for Canada,—**Hon. Mr. Langevin.**

For continuing the Parliament of Canada in case of the demise of the Crown,—**Sir John A. Macdonald.**

#### CURRENCY BILL

On motion of **Hon. Mr. Rose**, the House went again into Committee on the Currency resolutions. He said this Bill was divided into two parts; the first provided that the Governor by proclamation might extend the currency of the old Province of Canada and New

Brunswick to Nova Scotia, so as to have a uniform currency for the whole Dominion. The second provided that on the passage of the Bill now before Congress, the currency of the Dominion might be assimilated to the standard of the International Monetary Conference. On further consideration, to prevent adding to the irritation existing in Nova Scotia, and creating apprehension there which the provisions of the Bill did not legitimately warrant, the Government had decided to withdraw the first part of the Bill, and to proceed only with the second part—which they would bring into force as soon as the recommendations of the Paris Conference were adopted either by the United States or England. He thought it was their first duty at this moment to do all in their power to allay the feelings of irritation in Nova Scotia, and to avoid measures which could by possibility add to that irritation. He moved, therefore, that the resolutions on the currency be recommitted with the view of striking out the third and fourth.

**Hon. Mr. Dorion** thought the concession which had been made by the Government a great improvement. The only pity was that the Bill had not been abandoned altogether. Still the Government deserved credit for yielding to the wishes of the member for Nova Scotia and that side of the House on this point.

**Mr. Savary** thought the Government deserved credit, but his objection had not been answered, as set forth in the resolution of which he had given notice recently. Still so much had been conceded that he felt bound to withdraw that resolution.

The resolution of **Mr. Savary** was withdrawn, and the House went into Committee of the Whole—**Mr. Street** in the Chair.

In answer to **Mr. Anglin**—

**Hon. Mr. Rose** stated that until some changes were made in the United States currency, the currency of the Dominion would remain as it was, with the exception of the excise duties, which would be collected in Nova Scotia in Canada currency.

The third and fourth resolutions were then struck out, and the Committee rose and reported.

### THE BANKING BILL

**Hon. Mr. Rose** moved the second reading of the Banking Bill.

In reply to **Hon. Mr. Dorion**,

**Hon. Mr. Rose** said that by Tuesday or Wednesday next he hoped to be able to enlarge on the policy of the Government regarding the banking and currency generally.

**Hon. Mr. Holton** objected that the Bill before them was of a class which must originate in preliminary resolutions, and that it had not done so in this case, as the resolution had only just passed.

**Mr. Speaker** over-ruled the objection, on the ground that it had been made at too late a stage, as the House had already affirmed the principle of the Bill.

**Hon. Mr. Holton** and **Hon. Mr. Dunkin** showed that even after the third reading of this Bill an objection of this kind had before now proved fatal to the Bill.

**Hon. Mr. Cartier** maintained there were several provisions of the Bill which did not require to be initiated by resolution of the House. The resolution had been introduced and passed, and the Bill ought to proceed.

**Sir John A. Macdonald** held the course taken by the Finance Minister to be the correct one, and that there was no ground for the objection.

**Hon. Mr. Smith** thought the objection a merely technical one. The Bill did not give authority to increase the issue of notes.

**Hon. Mr. Holton** and **Mr. Gibbs** maintained that it did expressly provide for the issue of notes; in addition, that under it, the Government were enabled to issue a greater amount of their bills than was contemplated. When the Government brought down their measure in 1866, the understanding was that the issue was to be restricted to \$3,000,000.

**Mr. Blake** said that under this Bill, Parliament would give the Government power which they had not at that moment. This was really a money measure.

**Hon. Mr. Cartier** said there was a clause in the Act of 1866 which gave the Finance Minister power to issue debentures to the extent of \$5,000,000; out of that amount but one or two millions had been offered to the public. But the House should remember that in 1866 it was intended that all the Banks should surrender their circulation to the

Government. The measure was in that respect compulsory, but so much opposition was offered by the Banks that it was altered and merely made permissive. The aggregate Bank circulation was then twelve or thirteen millions, and if the Government were limited to an issue of eight millions it would clearly have been impossible to carry out the provisions of the Act. If the thirteen millions were not to be granted as was objected to, how was it possible to make an arrangement with all the Banks with their circulation of thirteen millions. Some of the Banks had not availed themselves of the favour intended to be then conferred on them, and the object of the Finance Minister at present was to re-open.

**Hon. Mr. Holton**—Hear, hear.

**Hon. Mr. Cartier**—Yes, to re-open the matter, and to do this a resolution was not required, no more than in the case of incorporating a Bank and authorizing it to issue notes.

After the recess,

**Hon. Mr. Holton** rose and said it had transpired during the discussion that this Bill contained provisions which the House did not understand, though it was not alleged that the provisions were contained in the Bill of which this was an amendment and continuation, though he could appeal to every member that no one in 1866 understood that the Government had by virtue of that Bill power to issue more than \$8,000,000. Therefore, apart altogether from the point of order, the question was important. The effect of the ruling on the point of order in the sense he desired, would be to afford the House time to consider this Bill, which contained very important provisions. He desired to point out farther that this was substantially an amended Bill. It authorized the emission of Treasury notes which could not be remitted without such authorization. He maintained that the whole scope of their precedents showed that no Bill authorizing such an emission ever passed in the Imperial Parliament or their own Parliament without being grounded on resolutions and originating in Committee of the Whole. Nor was that all, this Bill authorizes the Government to enter into negotiations with banks to buy out their circulation and pay them a large amount for such surrender. It involved, therefore, a very considerable change in the consolidated revenue of the country. So that, regard it from what point they might, he maintained, the

[Mr. Cartier (Montreal East).]

Bill should be founded on resolutions. There were only two ways in which the Bill could be introduced into that House; one by notice paper, and the other by resolution in Committee. No notice of the Bill had been given. Then, the point he contended for remained, that they were only now in a position to introduce the Bill founded on the resolutions originating in Committee.

**Sir John A. Macdonald** replied that this Bill had no new provisions. It did not in any way alter the Act of the former Government. It merely extended the policy of that Government to the Dominion. As to the initiation by resolution it was not at all necessary. The practice was not fixed on the point. Sometimes such measures were introduced by resolution, sometimes they were not, and then the mode of introduction was, in fact, a mere matter of expediency and convenience. The point as to whether or not this was an extension of the old Act was one really beside the question of order, and should, the House would see, be dealt with differently.

**Hon. Mr. Holton** would like to ask, could the Finance Minister, according to the law of Parliament, introduce a Bill authorizing the emission of Treasury notes or debentures or any form of public security, without a resolution in Committee?

**Sir John A. Macdonald** said it could be done to meet a preceding debt. If, for instance, the House passed a resolution declaring it to be expedient to grant \$3,000,000 to the Intercolonial Railway, they need not subsequently pass a resolution authorizing the issue of debentures, but could at once introduce a Bill on the subject, and this was exactly a case in point. The power to create the debt was established by the old Parliament of Canada.

**Hon. Mr. Holton**—Is that binding on us?

**Sir John A. Macdonald**—Most decidedly it was by the Act of Union.

**Hon. Mr. Holton**—Of course the Dominion Government is bound to pay the debts of the late Province of Canada, but the Dominion Government had no right to issue securities founded on the legislation of the Province of Canada. The securities in this case had not been emitted only to the extent of four or five millions. Now that old law was at an end, so far as the new arrangement with the Banks was concerned, and the Dominion Government could not extend it. It was new legislation and created a new liability, but



that was not all. By this new measure an entirely new change on her consolidated revenue was constituted. The Government could negotiate with Banks which they were not now authorized to treat with, and could pay these institutions a large sum out of the Consolidated Revenue for the surrender of their circulation. That surely made it a money Bill.

**Hon. Mr. Cartier**—The honourable member for Chateauguay says this Bill was brought in without notice.

**Hon. Mr. Holton**—That is not a material point at all events.

**Hon. Mr. Cartier** liked to save the character of his honourable friend, the Finance Minister. He had given the necessary notice (Here the Minister of Militia read the notice). Besides, the honourable member for Chateauguay was mistaken in taking it for granted that this was a question of trade.

**Hon. Mr. Holton**—I did not argue it on that point.

**Hon. Mr. Cartier**—Well, then, the honourable gentleman says it is a question of currency, and in that case it really occupied the same position as a measure passed in the early part of the session for the relief of the Commercial Bank—a measure which the member for Chateauguay had heartily helped. That institution derived its powers from the late Province of Canada, and asked to have its power of suspension extended from 60 to 90 days, so that a note holder of the bank in Nova Scotia or New Brunswick might come when the 60 days were up and claim payment of his note. This was a case in which powers conferred by the late Parliament of Canada were under the Dominion extended to the Lower Provinces—precisely as was sought to be done in this case before the House.

**Mr. Mackenzie** confessed that he had not been able to follow the argument of the honourable gentleman who had just taken his seat. What bearing the position of the Commercial Bank had on the question before the House was more than he (Mr. Mackenzie) could understand. If the argument of the honourable gentleman amounted to anything it was this, that because the Commercial Bank Bill might have gone through the House, without the rules being complied with, therefore this Bill should go through. But that position was clearly untenable. The point of order raised regarding this Bill is, that as

it entailed new charges on the public revenue, it ought to originate in committee of the whole. He had no doubt that the objections taken to the Bill were well founded, and the only point was were they taken in time? Instances had been cited showing these objections to have been taken at various stages on the second reading on going into Committee, and on the third reading and the obvious meaning of the rules of the House on the point was, that if at any stage of a Bill the rules were found not to have been complied with, the measure should not proceed until the rules had been complied with. He hoped, therefore, the Ministry would not force this measure on. He knew it was an unpleasant thing for the leader of the House to be declared three times wrong in one day, but it was best always to adhere strictly to the rule of the House.

**Mr. Speaker** said he agreed with the member for Chateauguay that as this was a measure extending the bank system to the other Provinces, it was necessary to be founded on resolutions of the House, and Ministers had evidently felt that to be the case, by adopting the course of moving the House into Committee. But the question at present came up in a different shape. The House had been moved into Committee, the principle had been affirmed, and hence he held the objection was too late. Had it been taken before, it would have been fatal.

The Bill was then read a second time and ordered to be referred to Committee of the Whole on Tuesday.

A message was then brought down from His Excellency, recommending the appropriation of the sum of \$30,000 per annum for five years, for the completion of the Geological Survey in the Dominion.

### INSURANCE COMPANIES

**Hon. Mr. Rose** moved the 2nd reading of the Bill respecting Insurance Companies.

**Hon. Mr. Holton** objected that this was a Bill which ought to originate in resolutions.

Mr. Speaker decided against the point of order.

**Hon. Mr. Rose** explained the object of the Bill as being that Insurance Companies, both fire and life, should, at stated intervals, give full publicity to their affairs, and should also make a certain deposit as a guarantee for the stability and good faith of the Companies.

Some years ago a similar Act was passed, but applicable only to Fire Insurance Companies. Since that time Life Insurance Companies had become of great importance, and it now became the duty of Government to make provision with regard to these Companies, and also to improve the Provisions formerly made with reference to Fire Insurance Companies. The provisions of this Bill were in the interest of the public. Some of the companies took exception to it on the ground that individuals should be left to satisfy themselves as to the solvency of the companies with which they did business. He joined issue with them on this, holding that it was the duty of the Government to protect the public in matters of this kind. It was objected that the Bill ought not to apply to companies chartered in Canada, but only to foreign companies. Another objection was, that it should not extend to mutual insurance companies. As regarded the first of these objections, he thought it was important that the same principle should extend to all companies doing business in Canada. He was willing, however, to make such modifications in committee as would allow companies chartered in Canada reasonable time to realize sufficient assets for making the necessary deposits. As regarded the other objection, the Bill would apply not to companies on the purely mutual principle, but to companies partly mutual and partly proprietary. Time would be allowed these companies to put their affairs on such a footing that the Bill would not operate harshly with regard to them. It was said it would be hard to compel companies which had already invested to change their investments into Dominion stock. He considered there would be no hardship in this. The Government would be quite ready to convert say five per cent. Government bonds into their equivalent in stock. There had been a complaint that the Bill did not extend to marine insurance. As regarded ocean marine companies, as we had no companies of our own doing that business, it would be obviously a dangerous thing to drive such companies away by a regulation that might be obnoxious to them. As regarded inland marine companies, he did not see what reason could be shown for requiring a deposit from them. In conclusion, he said the object of the Government was not to give a monopoly to a few large companies, but to place the insurance business throughout the country on a safe basis.

[Mr. Rose (Huntingdon).]

**Hon. Mr. Holton** again urged his point of order. He read a rule declaring that no Bill affecting trade should be brought before the House until resolutions on which it might be based were adopted in Committee of the Whole. If this Bill did not affect trade, it was not one which, under the Union Act, this House could consider at all.

**Hon. Mr. Cartier** said insurance business was not either by English or French law considered a commercial operation. In the Lower Canada courts no one had ever held that the rules of evidence applicable to commercial operations should apply to banking and insurance operations. He held, therefore, this was not a Bill affecting trade. Before discussing the second point raised, he would like a decision on the first point.

**Hon. Mr. Fisher** held that under the Imperial Act of Union, Fire Insurance Companies being Provincial in their objects, were subjects for local, not federal legislation. He drew the same inference from the list of subjects prescribed for federal legislation, in which insurance was not included.

**Mr. Young** said several companies had gone to the Ontario Legislature and received power to do business partly on mutual and partly on cash principles. Having thus received their charters, it would be a singular thing if this legislature had the power to come down upon them and require them to make a deposit of \$50,000.

**Hon. Mr. Rose** said this Bill was, to a large extent, a transcript of the Act passed in 1863, and no such objection as that now raised was urged to it, although the member for Chateauguay was then in the House. That Bill was not based on resolutions originating in Committee.

**Hon. Mr. Dorion** spoke in support of the point of order.

**Hon. Mr. Smith** advocated the same view. He said if this was not a Bill affecting trade, this legislature could not deal with the subject at all, without trenching on the privileges of the Local Legislature. The point was one of importance, and the Government should at least ask time to consider it.

**Sir John A. Macdonald** said this point was one not of order, but of jurisdiction, which must be decided not by this House merely, but by both Houses by actual enactment which would be subject to disallowance by

Her Majesty. As the point was an important one, he would suggest to his honourable friend to postpone the second reading, to allow time for debating that question in its legal aspects. As to the other point, he contended that the Bill was not of a nature to require that it should originate in committee, and quoted from English authorities as to certain banking and other Bills which affected trade as much as this one, but which it was held did not require to originate in committee.

**Mr. Speaker** said it was not for him to decide whether this was among the class of Acts which this Legislature could deal with according to the Union Act; but, as to the point of order, he must hold that insurance companies were not necessarily trading companies in the broad sense of the term "trade", which meant the importation and exportation of goods to market.

**Hon. Mr. Rose** in accordance with the suggestion of the leader of the Government, then moved that the debate be adjourned till Monday—Carried.

#### PENITENTIARIES

**Sir John A. Macdonald** moved a second reading of the Bill respecting Penitentiaries and the directors thereof, and for other purposes.

**Mr. Mackenzie** complained of the great expense of our Penitentiaries. They ought to be self-supporting, as in New York and elsewhere. At present the Kingston Penitentiary was seriously mismanaged. That mismanagement had been growing constantly, and was, he believed, mainly due to the inefficiency of the Warden, who, though he was an excellent man, was not the right man in the right place.

**Sir John A. Macdonald** said the gentleman at the head of the institution was a veteran—one who had long been in service, and had entered zealously on the discharge of his duties, and been very successful, except in making the institution self-paying.

**Mr. Anglin** had very little hope of such institutions being made quite self-sustaining; but he believed from experience that they might be made nearly so. It struck him that an extraordinary number of officials was provided for in the measure before the

House. The array of employees was really a most formidable one.

The Bill was read a second time and ordered to be referred to Committee of the Whole on Monday.

#### SECURITY TO BE GIVEN BY OFFICIALS

**Sir John A. Macdonald** moved the second reading of the Bill from the Senate respecting the security to be given by officers of Canada.

**Hon. Mr. Dorion** suggested that a clause should be inserted obliging every public officer every year to report whether his security remained good or not as originally entered into.

**Sir John A. Macdonald** said there was a clause compelling officers to report within one month in case of the death, bankruptcy, insolvency, or non-residence within the Dominion of their sureties.

**Mr. Blake** said there might be circumstances, when a change of sureties would be desirable, even though there had been no death, bankruptcy, or insolvency. Public officers ought to be obliged to furnish such change of surety on requisition of the Government.

**Mr. Mackenzie** knew several officers in the public service whose bondsmen were dead or gone, and in too many cases the bonds were not worth the paper they were written upon.

**Col. Gray** saw no reason why Sheriffs, although local officers, should not also be compelled to give security to some reasonable extent.

The Bill was read a second time, and ordered to be referred to Committee of the Whole on Monday.

#### OATHS OF ALLEGIANCE

**Sir John A. Macdonald** moved the second reading of the Bill from the Senate, entitled, "An Act Respecting Commissions, and Oaths of Allegiance, and of Office". Carried.

#### ENQUIRIES CONCERNING PUBLIC MATTERS

On motion of **Sir John A. Macdonald** the Bill from the Senate respecting enquiries concerning public matters, was read a second time, and ordered to be referred to the Committee of the Whole on Monday.

**ESTIMATES**

**Hon. Mr. Holton** complained that the Government were not acting fairly by the House in delaying to bring down their estimates. It was three months since the Government took a vote of credit, and under the circumstances the House had a right to com-

plain that the estimates were not forthcoming.

**Sir John A. Macdonald** could not speak precisely, but hoped they would be ready for the House by Monday.

The House adjourned at 11 o'clock.

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# HOUSE OF COMMONS

Monday, March 30, 1868

The Speaker took the Chair at 3 o'clock.

## ADJUTANT-GENERAL'S REPORT

**Mr. Cartier** laid on the table the Adjutant-General's report on the militia.

## DEPARTMENTAL CONTINGENCIES

**Hon. Mr. Rose** introduced a "Bill to Regulate and Restrict the Contingent Charges of the Departments, and to Establish a Stationery Office." He gave some explanations of the Bill, which were inaudible in the gallery.

**Mr. Mackenzie** asked if under the term contingencies printing was included.

**Hon. Mr. Rose**—No.

**Mr. Mackenzie** said he referred to the printing of schedules and various other papers emanating from the departments. He hoped Government would consider whether it was not advisable to include this in the Bill.

**Hon. Mr. Rose** said Government would consider this question separately.

**Mr. Mackenzie**—Are we to understand that Government are to introduce another Bill to provide for this printing in some other way?

**Hon. Mr. Rose**, without answering the question, said he would be very glad at a future stage of the Bill to hear his honourable friend's views on this subject and have the benefit of his experience.

**Hon. Mr. Dorion** said he presumed this Bill was an extension of the system which had prevailed in 1863 or 1864 in the Finance Minister's office, where there was a clerk of contingencies.

**Hon. Mr. Rose** said the clerk of contingencies in the Finance Department had to deal with the contingencies before the expenses were actually incurred. By this Bill it was proposed to interpose some check before the contingencies expenses were ordered.

## INDEPENDENCE OF PARLIAMENT

**Sir John A. Macdonald** introduced a Bill further to secure the independence of Parliament. He said he had not included in the Bill any provisions with reference to the subject which was discussed in the early part of the session, affecting the seats of himself and his colleagues. As soon as their salaries were voted, he would introduce a Bill to indemnify them for sitting in the House. (Hear, hear).

**Mr. Mills**—Have you provided in this Bill for the abolition of the dual system of representation?

**Sir John A. Macdonald**—No. I leave that subject in the hands of my honourable friend.

**Hon. Mr. Dorion** asked if the Bill included the suggestions made by a committee appointed in 1865, on the motion of the Hon. Mr. Brown. That committee reported a Bill, and the House adopted the recommendations of the committee, but the Bill did not become law on account of the late period of the session.

**Sir John A. Macdonald** said he had not referred to the suggestions of that committee, but he would so do before the Bill again came before the House.

## QUESTIONS

It was elicited from Ministers in reply to the understated questions, viz.:

**Mr. Robitaille**—Whether it is the intention of the Government to take into consideration the claims advanced by certain contractors on the Matapedia Road; and if so, when?

That it was the intention of the Government to take into consideration this and all other such claims coming within the jurisdiction of the Department, and to deal with them as they merited.

**Mr. Masson (Soulanges)**—Whether it is the intention of the Government, after the first day of April next, to change the system of payment of the Deputy Postmasters in the Dominion, and to grant them a fixed salary,

inasmuch as in certain localities the receipts will be diminished by the operation of the new postal law?

**Sir John A. Macdonald** said the Postmaster General had now under consideration the best means of making up the loss occasioned to Deputy Postmasters in certain localities by the operation of the new postal law.

**Mr. Stephenson** —Whether it is the intention of the Government to appoint any additional Inspectors of steamboats over and above the number now in the employ of the Government?

**Sir John A. Macdonald** said it was not the intention of the Government to appoint any additional Inspectors of steamboats.

**Mr. Metcalfe** —Whether the Delegates assembled in London from the several Provinces during the progress of the Confederation Act, did recommend, advise or sanction that the salary of the Governor-General should be fixed in that Act at fifty thousand dollars per annum?

**Sir John A. Macdonald** said the present Government had no official cognizance of what the Delegates did. (Laughter). It appeared, however, from a blue book submitted to the English Parliament, that the Delegates reported a provision that the salary should be fifty thousand dollars.

**Mr. Young** —Whether the sum of \$39,819 said by T. D. Harrington, Deputy Receiver-General, in a letter dated the 16th January, 1867, to have been paid into the Bank of Upper Canada, but not credited to the late Province of Canada, has been allowed by that institution?

**Hon. Mr. Rose** said with regard to the sum of \$39,819 charged some years ago as having been paid into the Bank of Upper Canada, the charges had never been objected to and stood now at the debit of the bank. The bank, however, claimed that certain items in the sum had been paid twice, and also that they had certain offsets against the balance.

**Mr. Burpee** —Whether it is the intention of the Government during the present Session, to propose a re-adjustment of the Tariff, with a view of abolishing the duties on flour, corn and corn meal, and reducing the duties on sugar, molasses and tea and other staple articles largely used by the industrial class?

[Mr. Masson (Soulanges).]

**Hon. Mr. Rose** replied that it is the intention of the Government to readjust the Tariff in the course of the present session. It would not be proper, however, for Government to say prematurely what the provision of the Tariff would be with regard to any particular articles.

**Mr. Snider** —Whether the Government intend to put a sum in the estimates for the erection of a wharf at the Port of Thornbury in the County of Grey.

**Hon. Mr. McDougall** said it was not the intention of the Government to put a sum in estimates for erecting a wharf at Thornbury, in the County of Grey.

**Mr. Brown** —Whether the expenses of the collection of customs at the Port of Belleville have been lately increased, and if so, why?

**Hon. Mr. Tilley** said no additional Custom House Officer had been appointed at Belleville, but it had been found necessary to make a transfer of officers, and the officer at Belleville received the same salary as he had formerly, but a larger sum than had been paid to his predecessor.

**Mr. McConkey** —Whether in view of communication with Fort Garry, it is the intention of the Government to prosecute this season the opening of the road commenced last summer, at or near Fort William, on Lake Superior, and upon which a considerable sum of money has already been expended?

**Hon. Mr. McDougall** said the question of continuing the road to Fort Garry from Fort William, commenced last summer, was at present under the consideration of the Government. Before the session closed, definite information would be given to the House on the subject.

#### LIQUOR INSPECTION FUND

**Mr. Bourassa** moved that the House go into Committee of the Whole on Wednesday, for the consideration of certain resolutions for the creation of a fund to be called the Liquor Inspection Fund.

#### LIBRARY COMMITTEE

Upon the motion of **Mr. Chamberlin**, seconded by **Hon. C. Dunkin**, the names of the Hon. Mr. T. D. McGee and the Hon. Mr. Chauveau were added to the Joint Library Committee.

## LIBERTIES OF CANADIANS

**Mr. Mackenzie**, before the orders of the day were called, desired to ask the attention of the Minister of Justice to some circumstances which had just occurred on the western frontier. He had brought under notice of the House some time ago the arrest of a British subject named Macdonald in the Township of Moore, and his abduction into the United States on a charge of smuggling. The United States Government had agreed to restore him, but Mr. Thornton, the British Ambassador, acting in a most extraordinary and undignified part, had refused to accept his liberty, and allowed him to remain in a United States prison—a course of proceeding to which he (Mr. Mackenzie) intended to call the attention of the House at greater length on a subsequent occasion. It now appeared that within the last few days the gaol of St. Clair, Michigan, in which Macdonald was confined, had had a sort of general delivery through the act of the prisoners themselves. Macdonald and another prisoner charged with smuggling escaped to the Canadian side. Macdonald was again arrested at the request of the United States authorities, not on the charge of having escaped, but because some one, it was alleged, had stolen a revolver from the gaoler. He and the other escaped prisoner were brought before Judge Robertson, County Judge of Lambton, and had been by him remanded to await the claim for their rendition by the United States authorities. He called the attention of the Government to these circumstances, with the view to ascertain whether they were to allow the liberties of Canadian subjects to be imperiled by such proceedings. (Hear, hear).

**Sir J. A. Macdonald** said his honourable friend had mentioned to him that he was to bring this matter up in the House. Since the conversation with him the papers in the case had been received at his office, but he had not had time as yet to read them. He quite agreed with his honourable friend that the British Ambassador had not exercised a proper discretion, to say the least of it, in refusing to accept the man's liberty. He would say nothing in vindication of the man's conduct; but it was clear that the offence with which he was charged—that of a breach of the United States revenue laws—was not one for which he could be properly extradited. As regarded what had happened since his escape to this side, he would not prejudge the case. Judge Robertson had, no doubt, acted to the

best of his discretion; but whether it was a case of extradition, was a matter for the Governor General in Council, under advice of his responsible advisers to determine. The Government would give full and ample consideration to the whole facts of the case before any action was taken. (Hear, hear).

## INSTRUCTIONS TO LIEUT. GOVERNOR

**Mr. Chamberlin's** notice of an address for instructions to Lieut. Governors of Ontario, Quebec, New Brunswick and Nova Scotia being called—

**Mr. Chamberlin** desired to let it stand.

**Sir J. A. Macdonald** said if the honourable gentleman desired it, the commissions to the Lieutenant Governors might be brought down. They simply appointed certain persons as Lieutenant Governors, to carry out the Act of Union, subject to such instructions as might hereafter be given; but no such instructions had been given.

**Mr. Chamberlin** repeated that he would like the motion to stand.

## OTTAWA BUILDINGS

**Mr. Mackenzie** moved for a detailed statement of items in the public accounts for the year ending 30th June, 1867. Alterations of Parliament Buildings, \$14,613; paid to R. McGreevy for work done fitting up buildings, \$21,423; and of McGrath's accounts for heating Parliament and Department Buildings.

**Hon. Mr. Fisher** said he did not see that such was a matter with which this Parliament had anything to do. It was a matter between the two Provinces of Ontario and Quebec.

**Mr. Mackenzie** thought the honourable gentleman was rather hasty. He was not satisfied that Ontario and Quebec should pay for these buildings, but would prevent them from obtaining information as to the expenditure in the only place where such information could be obtained. The honourable gentleman, to be consistent, should have objected to entering these buildings, because Upper and Lower Canada had created them. His object in moving this address was to get information which would enable them to discuss intelligently the estimates, with reference to these buildings, when they were brought before the House.

**Hon. Mr. Fisher** said if there was no other way of getting the information he would not object.

The motion was agreed to.

#### JUDGES OF QUEBEC

**Mr. Fortin** moved for correspondence with respect to the sittings of the Courts in the district of Gaspé; also for correspondence with the Judges of the Court of Queen's Bench, and of the Superior Court, of the Province of Quebec, during the last three years, respecting the demand of leaves of absence, and respecting representations made on account of the failure of the administration of justice, arising from the absence or illness of certain judges, or from any other cause.

**Mr. Masson (Soulanges)** supported the motion; in doing so he expressed his opinion that Mr. Cartier's Judiciary Law, although thought at the time to be a very excellent measure, had proved a failure. At the time for the sitting of the last Court for his district, the Judge wrote from Montreal that he could not come. The plaintiff, defendants and witnesses had come there at great expense, and they had no Judge to hold the Court. They had a bad set of Judges in Montreal. He did not say that they were not men of high legal standing, but the public sentiment and feeling was against them; and why? because according to public rumour two of them were men out of their heads; two others were men of bad moral character, and another was so deaf that in a case where a man sued for \$10 the judge gave judgment for \$100. Some remedy ought to be provided for this state of things.

**Mr. Masson (Terrebonne)** also expressed his opinion that the judiciary system was wrong from top to bottom.

**Hon. Mr. Chauveau** made some remarks in French on the jurisdiction of the Local Government and Legislatures with reference to the Judiciary.

**Mr. Blake** said the Local Parliament had power to abolish courts and establish new courts and new judgeships; but unless the Federal Government agreed in their policy, and provided adequate salaries, the action of the Local Parliament would be useless. It was obvious there must be accordant action between the Local and Federal Governments; but to the Federal Government peculiarly belonged the power of securing something

like uniformity in the system. He thought what was wrong in Quebec was that there was no such power of pensioning as existed to some extent in Ontario. What were a few hundred pounds a year spent in paying a faithful public servant, who found his health and strength impaired by years and otherwise, compared with the wrong and suffering sustained by the public, and the degradation of the Bench which followed the retention in office of any man not possessed of his full faculties. He repeated that there ought to be uniformity; it could not be right that there should be a pension system in Ontario and none in Quebec. He hoped such a system would be adopted there as would prevent a recurrence of such accusations as had been brought to-day.

**Hon. Mr. Dunkin** agreed in the view taken by Mr. Blake. He thought it was the most absurd pretence at economy imaginable to keep on the Bench a man who was nearly or over eighty, and wholly incapable of work, rather than give him a reasonable pension. It was the worst economy to salary such a man, not to do nothing, but to do what was worse than nothing.

**Mr. Chamberlin** said there never was a time in the Province of Quebec when the administration of justice was so far behind what it ought to be as at present; but he was not sure that the means of escape could be obtained altogether in the direction indicated by the members for Durham and Brome. There was no doubt, as had been remarked, that the Province of Ontario so far as he had been able to study it, had one of the most perfect systems of judiciary in the world. There, while there were a few men, belonging to the Superior Court, who were paid large and liberal salaries, the great bulk of the work was done by County Court and other inferior judges. Now, to do the work effectually in Quebec they would require 20 or 25 first class judges, who should be paid first-class salaries, and allowed to retire, in due time, on handsome pensions. If they could so reorganize their system as to get a few first class judges for Superior Courts, then they might be supplemented by others of an inferior class, but quite well qualified to do the balance of the work. Until they had a reorganization of their Courts in the Province of Quebec, on some such system, they would never occupy the position in this respect which they were proud to accord the sister Province of Ontario.



**Mr. Abbott** ventured to say that the Lower Canadian Judges were quite equal to their position and opportunities. Their administration of justice he believed to have been satisfactory. There had been complaints from Montreal, but that was owing to the number of Judges being too limited, and hence he strongly deprecated the tone of the press and some members of the House on the standing and efficiency of the Judiciary of Quebec. He would, too, call attention to the fact that the Judges in Montreal were very inadequately paid, and received only such salaries as would induce second or third rate men to go on the Bench.

**Mr. Irvine** said that there were reasonable grounds of complaint, there could be little doubt in the minds of those listening to the debate, but he believed these grievances had been exaggerated. He himself was aware, for instance, that the Court of Appeal which should have five members had only four for years past; but it happened thus:—One of the most distinguished ornaments of the Bar, who had held position in that Court had been, from illness, incapable of performing his duty. Under these circumstances a number of suits coming before that Court could not be settled by the four Judges now presiding. And there were similar cases from which the evil arising from the small number of Judges in Quebec was apparent.

**After recess,**

**Hon. Mr. Cartier** thanked the honourable mover for having brought forward this discussion regarding a subject of such gravity and importance as that of the Administration of Justice in Lower Canada. It was a source of great pleasure to him to have heard the gentlemanly speeches of the honourable member for Argenteuil and the honourable member for Megantic, and he considered that the observations of the honourable member for Hochelaga had been answered before he had the misfortune to have spoken. Every member of the House had heard his statement that six of the Lower Canada Judges were incapacitated from age, chronic diseases, or enfeeblement, and added that one other was a scandal to the Bench from his immoral or intemperate habits. He (Mr. Cartier) had never been responsible for his elevation of any Judge of such conduct, and any Judges or Queen's Counsels who had ever been appointed in lower Canada on his recommendation would contrast most favourably with

those recommended by the honourable member. He had no hesitation in admitting that the administration of Justice had suffered from the age of some of the judges, which was no dishonour or disparagement to their body, but the state of things contrasted most favourably with that existing before 1857, when he had undertaken the difficult task of combining reform with economy, creating new districts, and providing for the wants existing at a lesser cost than had previously been expended. The whole number of Judges in Lower Canada was only twenty-three, while in Upper Canada there were forty, a much greater number in proportion to the population. The system which he had introduced had facilitated the transaction of business by removing the previously existing necessity for the presence of a full bench, and this system would compare advantageously with any existing in the world, where perfection was not to be expected. The decision of one honest Judge, independently expressed, was more to be relied upon than that of a large Court, whose judgment were liable to be biased either by undue mutual antagonism or mutual acquiescence, and the expansion of the system effected by him in opposition to the legal efforts of the Province, of which this was an important feature, had been brought about without any additional burden to the country, and, notwithstanding the opposition of some of the Judges, succeeded in working itself through, in spite also of the obstacles occasioned by the infirmities of some of its administrators. Such infirmities he was too generous to meet with condemnation, and thought that a judge who admitted that he was thus disqualified for performing his duties in the efficient manner he thought requisite, was an object rather for respect and sympathy. But he denied altogether the assertion that there were thirteen judges unfitted for their position, and regarding those who had been branded with immorality or dishonesty challenged the honourable member for Hochelaga to name them. The honourable member had also made sweeping charges against Queen's Counsels, but he (Mr. Cartier) was perfectly prepared to defend his appointments, and could, were he sufficiently indiscreet, reveal an application of the honourable member's for an appointment to a certain office (he would not say which) which would scarcely bear such scrutiny. He would not, however, be so injudicious. He knew some things that he kept to himself (much laughter). Referring more particularly to

Judges whom he had appointed, and instancing the affliction under which Judge Badgely had the misfortune to labour, he stated that some of the best decisions given by a most eminent Judge (Barton) had been delivered when he was totally blind. With reference to Mr. Justice Drummond, he would say nothing on the points on which charges had been brought against him in the press, except that he did not give implicit credit to all newspaper statements, nor believe that he had been guilty of the conduct imputed to him. Paying a complimentary tribute to some other occupants of the Bench, he turned to its composition in Montreal, and thought that in the matter of industry and ability, no honest lawyer could complain of Mr. Justice Mondelet. If there was upon the Bench any Judge desirous and capable of discharging his duties faithfully and impartially, it was Mr. Justice Berthelot. (Hear, hear.) Judge Monk was an ornament to his profession, and would be a credit to any judiciary whatever. He had recommended Judge Meredith, and also Taschereau, whom he had known as a most hard working man, the most valuable quality which a lawyer could possess. Everybody would admit the brilliant faculties and accomplishments of Mr. Justice Johnson who was equally master of both languages, and no one who had read the reports of the trials of the Fenian prisoners within his jurisdiction could deny the admirable and excellent manner in which he had discharged a most difficult duty. After complimenting some other gentlemen occupying seats on the Bench he referred in high terms to Judge Winter, and, stating that he had been responsible for the appointment of Judge Lafontaine, of Aylmer, challenged the honourable member for Hochelaga to say anything against his honour or efficiency, although he was aware that a petition for his removal had been presented by the honourable member for Ottawa, grounded on some complaint against his conduct when he was Prothonotary or Crown Lands agent—a petition that had never been prosecuted, and which the honourable member for Hochelaga would be the first to oppose. The last recommendation for which he was responsible was that of Mr. Justice Bosse, whose eminence in his profession was indisputable. He had now referred to every appointment he had made, and although acknowledging that he was usually actuated by political motives—that he liked to find an opposition arrayed against him and to fight it—(laughter)—had not been swayed by politi-

[Mr. Cartier (Montreal East).]

cal considerations in his judicial appointments. He had been traduced before the tribunal of the House and was glad of the occasion to reply. He did not care very greatly about vituperation which he could hear and answer. He rather liked it (much laughter), because when his reputation got abroad it helped to prevent such charges being believed again. (Renewed laughter.) He had been able to dispose of a great many of these thirteen cases of affliction from chronic or immoral ailments. (Great laughter.) He would be more generous than the honourable member for Hochelaga, and would not refer to the appointments of Judges Sicotte, Drummond or Loranger, regarding which nothing would induce him to say what he knew. (Laughter.) The true difficulty in remodelling the judiciary had been already most justly stated to be the want of any means of pensioning old or infirm judges, for which they had only 2,000 pounds at their disposal in Lower Canada, on which small fund there were already some charges existing. It was quite correct, as had been stated, that the business to be transacted in Montreal was equal to that of all the rest of the Province, and the absence or illness of any judge necessarily occasioned inconvenience. He went on to relate the circumstances under which Mr. Justice Smith had taken leave of absence without due authority on the ground of ill health, upon which subject there was some correspondence to be submitted. When at any time it was proposed to a judge to retire, he demanded a pension to the full amount of his salary, and the judge to whom the honourable member for Gaspé had referred, who was 85 years old, had ten years ago refused a pension of two-thirds, offered as an inducement to him to resign. The judges knew the law, and the Act guaranteeing their independence gave them a standing that created the difficulty. Four of them, he would not go so far as to say thirteen, ought to be pensioned. He repeated that he was pleased at the opportunity of going into the subject which had been offered, and of vindicating before the House the character of his appointments. (Applause.)

**Mr. Wright** characterized it as an instance of audacity in the Hon. Minister for Militia to rise and state that his Honour, Mr. Justice Lafontaine, did his duty satisfactorily when he had himself, as representative of the County of Ottawa, presented a petition against him, signed by the most respectable inhabitants of the district, composed of the

Counties of Argenteuil, Frontenac and Ottawa, among whom the Judge's name had become a byword, the commission of unpunished crime being so extensive as to seriously impair public confidence in the efficiency of the laws, and the Judge's conduct as agent for sale of Crown Lands being such as to occasion distrust in his integrity. With permission of the House he then proceeded to read the petition referred to (a document of great length) reiterating these charges and praying for the investigation into his gross neglect of duty.

**Hon. Mr. Huntington** referring to the credit taken to himself by the Minister for Militia for the creation of the system of decentralization by which justice had been brought to each man's door, stated that he had adopted this system from the suggestion of Mr. Drummond, and in compliance with the clamorous wail of the whole people. He thought that it would have been as well if the Minister had refrained from naming the Judges on the Bench, discriminating between those nominated by himself and by his adversaries, but had remembered that these appointments should never be considered politically, nor their responsibility bandied from one side of the House to the other. The discussion must have satisfied the honourable gentleman that the temper of the House was such as to permit the passing of such a measure as he admitted to be wanting to regulate judicial imperfections. The honourable member for Hochelaga had been misrepresented as having censured the conduct of the whole Bench of Lower Canada, whereas he had but stated that two of its members were incompetent from their irregularities, and one from his immoralities. It was very much more agreeable here to compliment the Judges than to take them to task, but if it were in bad taste to refer to such scandals as existing, it was in much worse taste to permit them to exist unnoticed. He thought that if the motion passed it would be desirable to obtain all the information possible, and would propose in amendment the addition of the words "and also a statement of the number of days on which the Court of Review and the several Circuit Courts have not sat owing to the absence of Judges." **Hon. Mr. Cartier** not having gone into the question of the appointments of Queen's Counsel he would not, although having taken a vote of the subject, protract the debate by referring further to it.

**Hon. Mr. Cartier** thanked the honourable member for Shefford for the reminder, but asserted that the appointments to this dignity by his Government would contrast most favourably by those of the Opposition when in power. The accusations of the honourable member for Hochelaga against members of the Bar should not have been made under cover of his privilege of Parliament, but to the face of the gentlemen themselves, by whom he would, most likely, be one day called upon to make them good.

**Hon. Mr. Dorion** said that he had refrained hitherto from mentioning the names either of unworthy Judges or unworthy Queen's Counsel, but in support of his previous assertion that some of the latter appointments were scandalous, asserted that three of the most eminent members of the Bar had declined the silk gown offered them from a disinclination to rank among those who were occasionally permitted to wear it. He said that of the twenty-three Judges in Quebec, it was a matter of notoriety that six were unfit to discharge their duties from old age or chronic disease; four more should never have been appointed, not being fit for the office; and two or three were never in a fit state from their habits to discharge the high and responsible duties of their station; so that out of the 23, at least 13 were, from one cause or another, unfit to administer justice in Lower Canada. His own opinion, based on recent events and statements, made on good authority, was that properly qualified men to be placed on the judiciary could hardly be found at the Bar in the Province of Quebec. They were diminishing yearly. Of the Q.C.'s appointed of late years, numbers were notoriously unfit for that position; one of them he had heard had entered the profession through false pretenses. Two of them had never practiced law, another was a known swindler; another had presented such an outrageous account to the Government that they refused payment; yet another was a scoundrel and forger who had escaped from this country to avoid the penitentiary; and so on through a dreary catalogue. These were the men made Q.C.'s of late, and if the Minister of Militia had remained Minister of Justice and continued in this matter as he had begun, a number of these men would very likely have been added to the Judges of the Superior Court and Queen's Bench. And so the present incompetency of their judiciary would be continued. So disgraceful was the state of the

Bar and the Bench in the Province of Quebec, that he believed the case there had no parallel in any country in the world. He sincerely hoped to see the Minister of Justice endeavouring to put a stop to this degradation. He (Mr. Dorion) hoped to see no more such Q.C.'s appointed in the Province of Quebec, men whose merits in many cases consisted in little else than going to the hustings on the eve of election and voting in favour of the candidate through whose interest they had been appointed. So universal was the dissatisfaction with the Bench and the Bar in that Province, that complaints were vented in the ministerial journals as well as in these conducted by the opposition. The Court of Appeals had been alluded to as not being able to overtake the work before it; and he would supplement that statement, that is now a common practice with persons sued, who desired to defer payment, to have their cases sent to the Court of Appeal, where it was pretty certain to be allowed to lie a few months at least before a decision was arrived at. As to the insufficiency of salary which had been used as an argument to account for the present state of affairs, he would say that out of the 23 Judges in Lower Canada, he did not think that more than five or six ever made 1,000 pounds by their profession.

In reply to **Mr. Masson**,

**Hon. Mr. Dorion** said that when he was in the Government but three had been appointed to the Bench; one of these had been five times in successive Administrations; another had been Attorney-General and for a number of years a member of three Administrations; another had at one time been selected as one of the ablest lawyers in Montreal to argue one of the greatest and most important cases ever argued in Lower Canada. These were the only three new Judges they had appointed.

**Mr. Chamberlin**, in reference to his remarks during the opening of the debate, disclaimed any idea of intimating that the Province of Quebec had not as bright ornaments of the Bench as were to be found elsewhere. While there were some incapables, there were others who would do credit to any country.

**Mr. Mackenzie** compared the systems in Quebec and Ontario, showing that the amount paid last year for the administration of Justice in Lower Canada was \$413,000, while in Ontario it was but \$399,000, and

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expressed a hope that the system of Quebec would be so amended as to remedy the grievances complained of.

**Mr. Cayley** said he believed the present judicial system was the best that could be adopted, but that great evils existed in the way in which it was administered there, especially on account of the absence of Judges from their duties.

**Mr. Langevin** thought that the matter ought not to be allowed to rest with the demand for papers, but that when that had been conceded, the House should go a step further, and endeavour, as speedily as might be, to apply a remedy where it was so much called for. It was an injustice to apply such accusations as had been made to an entire body of men, and the sooner those alluded to during the debate as being incompetent and immoral were indicated to the proper authorities, and the grievance remedied, the better.

**Mr. McKeagney** advocated bringing the charges in a quarter where the Judges might have an opportunity of defending themselves.

**Hon. J. S. Macdonald** hoped members on the Treasury Benches would take the first opportunity at remedying the grievance which had been so generally complained of. As far as Upper Canada was concerned, he was proud to say there had not been a single complaint against their Judiciary, and the most cordial feeling prevailed between the Bench and the Bar. In Upper Canada he had never heard of a Judge occupying his position one moment after his services had ceased to be useful to the country. In regard to the system of pensioning, he warned Government that they must be careful. Only the Superior Judges ought to receive a pension, and he trusted there would be no repetition of some cases of pensioning County Court Judges which had been obtained in Upper Canada through arrangement of the Minister of Justice, and very much to the annoyance of the people of Ontario. He (Mr. Macdonald) knew of a case where a County Court Judge, who fell sick while getting 700 pounds a year, had his salary continued, and a deputy appointed; and though he had recovered, still had the deputy to do his work, and the Judge would, in all probability, continue to draw this pension for life. He hoped Government would bring down a measure to place the Superior Judges in Ontario and Quebec relatively on the same footing. Give them fair salaries and pension them; but on no account should the inferior Judges be pensioned.

**Sir J. A. Macdonald** believed the debate would be productive of good, though unfortunately it took a rather wide range, embracing the character of the Judges, pensions, etc., which rather weakened the debate. The Judges of Upper Canada would certainly compare favourably with some of those of Quebec in respect to the promptitude with which they resigned their high offices when, from failing health or other causes, they felt themselves unable to discharge their duties. He hoped their discussion would, at all events, tend to remedy the evil complained of by calling the attention of those Judges interested to the matter. A debate in the House of Commons in England had recently tended to remedy a grievance when one of the Judges, Baron Lefroy, though unfit from advanced years to discharge the duties of his post, yet clung to it tenaciously until the debate took place. **Sir J. A. Macdonald** trusted it would be so in this case.

The motion as amended was then carried, and the House adjourned at a quarter to 12 o'clock.

#### NOTICES OF MOTION

**Mr. Bodwell**—Inquiry whether it is the intention of the Government to keep up

Spencer Wood as well as Rideau Hall, for the accommodation of His Excellency, and to make the expenses of his contemplated removal to Quebec at the close of this session, and return chargeable as heretofore on the consolidated fund.

**Mr. Bodwell**—Whether it is the intention of the Government to prevent Sunday traffic on the Grenville and Ottawa Canal.

**Mr. Connell**—Return of the amounts paid by the late Province for pensions.

**Sir John A. Macdonald** gave notice of the introduction of the following Bills on Wednesday:

For better security of the Crown and Government respecting accessories to, and abettors of, indictable offences.

Respecting offences relating to coin.

Respecting forgery.

Respecting offences against the person.

Respecting malicious injuries to property.

Respecting larceny and other similar offences.

Respecting procedures in criminal cases.

Respecting duties of Justices of Peace and sessions in regard to persons charged with indictable offences.

Bill to regulate the sale of poisons.



# HOUSE OF COMMONS

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Tuesday, March 31, 1868

## MILITIA BILL

The Speaker took the Chair at 3 o'clock.

### FORMS AND PROCEEDINGS

**Sir J. A. Macdonald** moved that a Select Committee be appointed to consider and report whether by any alteration in the forms and proceedings of this House the dispatch of public business can be more effectually promoted—such Committee to consist of Messrs McDougall, Langevin, Dorion, Bolton, J. S. Macdonald, Mackenzie, Chauveau, Dunkin, Smith, Blanchet, Blake, Fisher, and the mover. Carried.

### GEOLOGICAL SURVEY

**Hon. Mr. Rose** moved that the House resolve itself into Committee of the Whole to-morrow, to consider the resolutions respecting the Geological Survey. Carried.

### CONSOLIDATED REVENUE FUND

**Hon. Mr. Rose** moved that the House will (to-morrow) resolve itself into Committee of the Whole to consider the resolutions respecting the Consolidated Revenue Fund.

**Hon. Mr. Holton** said it would be necessary in the first place to move that the order for the second reading of the Bill, which was to be based on these resolutions, should be discharged.

**Hon. Mr. Rose** concurred in this view and moved that the order for the second reading of the Bill respecting the Consolidated Revenue Fund be discharged. Carried.

The motion for the House to go into Committee of the Whole to-morrow on the resolutions was then also agreed to.

### KAMOURASKA ELECTION

**Hon. Mr. Gray** moved that the evidence taken before the Committee of Privileges and Elections respecting the Kamouraska Election, be printed for the use of its members. Carried.

**Hon. Mr. Cartier** said that he was then prepared to make good his promise of the introduction of his Militia Bill. Perhaps the honourable member for Ottawa would meet him on the occasion, with a reiteration of the charge of audacity (laughter), and apply to him the Latin adage, *semper audax* but that adage had a supplementary one, *audaces fortuna juvat*, and he did not fear that either he or his colleagues would be shipwrecked on his present measure (renewed and continued laughter). His was, however, a subject to be treated in no jocular spirit, and they must recognize that the efforts of European nations were directed to the combination of the three great elements of power—the personal, the territorial, and the maritime elements. But, behind all, the military element still remained necessary for the completion of national greatness. With regard to the territorial element, he was as desirous as could be any one to extend theirs to the Pacific by the incorporation of the great North-West Territory, and the addition of British Columbia to the Provinces of the Federation. He had considered it necessary before bringing his measure before the House, to make himself acquainted with the militia system of the Maritime Provinces, which, although inferior in population, contained in themselves an element of defence perhaps greater and more important than the number of troops which might be sent from the West—he meant the seafaring and maritime population. (Hear, hear, from Mr. Fortin.) They had a seafaring population of 60,000 to 70,000 with which no other country but Great Britain could compare. He made these observations to convince his friends from the Maritime Provinces that the Administration were fully sensible of the advantages to be derived from their alliance. (Hear, hear.) The mere number of representatives from the Lower Provinces could not be considered as the measure of the value of their constituencies. He had not approached the subject of his Bill without proper consideration, and had made himself familiar with the Militia laws not only of the Provinces of the Federation, but of Prince Edward Island

also. He had also the benefit of the views and recommendations of Col. Macdougall, whom everyone would recognize as a soldier of distinguished eminence in his profession, and as an authority on military matters of indisputable weight. His Bill divided the Militia force into Active and Reserve Militia, the active composed of Volunteers, and the marine forces, to be chosen from the population of the country from those between the ages of 18 to 60—the first to be called upon being those between the ages of 18 and 30, unmarried and widowers without children. The second class to be composed of those unmarried between the ages of 30 and 35, or widowers of the same class with child. (Uproarious cheers and laughter.) The honourable member for South Wentworth, (Mr. J. Rymal,) called on him for an explanation which might be difficult, but to him nothing seemed to be impossible. (Renewed and continued laughter.) He had used the unfortunate conjunction in the wrong way, (much laughter,) but it was his grammar only that was in fault. (No, no.) The third class would comprise married men and widowers between 18 and 45, and the next would be composed of all between the ages of 45 and 60. He expected, under the provisions of his Bill, to provide that the number of trained men within the Dominion should not be less than 40,000. The Dominion was to be divided into nine districts, viz., Nova Scotia one, New Brunswick one, Quebec three, and Ontario four, with a staff commander at the head of each to see that the Military regulations were efficiently carried out. There was to be a further division into regimental divisions according to population, and also to geographical divisions, the population embraced within which would furnish the whole available militia force of the country, it being imperative that 40,000 men should be supplied each year for training. The present volunteer force of Canada did not exceed 20,000, having diminished from the number of 31,000 enrolled during the Fenian invasion. In New Brunswick there were 2,000, but he was not able to ascertain the exact number in Nova Scotia. Their existing number would require to be swelled by drafts from the 200 regimental divisions of which he had spoken to make up the number of 40,000. Upper Canada would have to furnish a quota of 17,600; Lower Canada of over 13,000; New Brunswick 4,000 and Nova Scotia 5,000. If a sufficient number of volunteers should not come forward to complete the required num-

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ber, there would be a ballot for the selection of the quota necessary. If the population between the ages of 30 and 45 were not sufficient, they would have to fall back upon the respectable (laughter) portion of the community, between 45 and 60. There was power granted for enquiry into every household as to those eligible for duty. The enrollment was to be made by each captain for his own company, and not under the system of the old assessment laws which had never worked satisfactorily. Of all the Provinces in the Dominion New Brunswick possessed the best militia law, giving the greatest power of organization. He believed that the enrollment to be made under his measure would form the best system ever brought in force. It was to be made by a captain, subaltern, and non-commissioned officer, who, as residents, would be able to explain satisfactorily the provisions of the enactment to those whom they affected. The Provinces of Ontario and Quebec contributed at least 600,000 and New Brunswick and Nova Scotia at least 100,000, men capable to defend their country. After the first enrolment under the Bill, we would be able to show the world that we had 700,000 men capable of defending the country,—of these 70,000 would be seafaring men,—and to prove that, with regard to both land and military resources, there were very few powers to stand higher than ourselves. The principal strength of England was her maritime power, consisting not merely of her Royal naval power, but upon the commercial navy, on which she could fall back, while France was using every effort to popularize her Imperial navy. It was not proposed that seafaring men actively employed in their calling should, except under emergency, be called upon to serve, nor was it intended to disturb in their avocations the large proportion of Nova Scotia population whose employment occupied them at sea, whom, as also those of New Brunswick, the proposed measure would subject to less onerous regulation than that of their own Provinces, which entailed large sacrifice and inconvenience. It had been stated in the Lower Provinces, in order to excite the prejudices of a portion of the inhabitants, that their Militia would be brought up to defend us here. Well, as regarded seafaring men and sailors, he would say they would not be obliged to undertake any military duty, because the best training they could have was their actual employment on the sea, or on our inland waters. This measure did not profess to organize the ma-



rine militia. This was a matter left for regulation by the Governor-in-Council. At the same time ample provision was given to encourage the organization of naval corps and companies. He believed his Nova Scotia and New Brunswick friends would find that under the organization which he now submitted, they would be subjected to less arduous militia duties than they were now subjected to by their own laws. He was told that there was a provision in the Nova Scotia militia law which enabled the Governor to order the whole population doing militia duty to drill any number of the year. By the last order, if he was correctly informed, the whole militia men in Nova Scotia were obliged to undergo militia training during five days in the year. That is to say, between 35,000 and 40,000 men were called to do militia duty at great inconvenience. Under the present bill, Nova Scotia would only be required to furnish 5,000 men for actual militia duty. Mr. Cartier then explained that the division according to ages in the present bill he had taken from the measure for reorganizing of the army which had recently passed the French chambers. He was satisfied that among the young men from 18 to 30, they would find a sufficient number to complete the 40,000 men required to drill, even supposing there should be no volunteer organization. The result would be that every two years there would be 40,000 young men disseminated amongst all portions of Canada, after having acquired considerable familiarity with the use of arms, and whose training would be found valuable if necessity should ever again require them to be called out for actual service. As he had already stated, not only the 40,000 active service men, with their officers, would be trained, but all the officers of the reserve militia would be required to drill with them and would thus be better qualified for command, if in case of war or other emergency a greater number of the militia than those 40,000 should be called out. If there were 200 regimental divisions, there would be thirty officers to each regiment, making the number of non-service officers to be trained 6,000; if there were 300 regimental divisions the number would be 9,000, and so on. The active service men with their officers and the non-service officers would all be paid at the same rate for drill—50 cents a day. The Bill of 1862 was defeated because it was objected that it was too extensive, too large; and yet when the member for Cornwall introduced a measure, the first thing he asked was an appropriation of \$250,000 for the organiza-

tion of volunteers—the largest amount which had ever been appropriated for militia service up to that time. In the following year, the member for Cornwall introduced a measure providing for a still larger organization, and requiring still larger expenditure. Since then, very much larger expenditures had become necessary—first, to prevent a recurrence of proceedings like the St. Alban's raid, and next, to meet the Fenians; but he believed no portion of the inhabitants regretted those expenditures. The Fenian raid had given us, in a measure, that education as to the question of defence, which we had not when the Bill of 1862 was rejected. He was bound here to pay a compliment and he did it with great pleasure to an officer of the militia, appointed by the member for Cornwall, he alluded to Colonel Powell. The experience we had had of the services of that worthy officer had proved to him that no better appointment to office of Adjutant-General of militia could have been made. (Hear). He went on to express his opinion that the Imperial Government would be satisfied with the number which this bill provided should be trained for active service. He then enlarged on what might be accomplished by our 700,000 militia men. Looking at the way in which the four millions of Southern whites were furnishing 400,000 fighting men who defended their country for four years against twenty-four millions of the North who had put into the fields during the war 2,600,000 men. If it should be our misfortune to face an invasion even from the American nation, we would be in a far better position to meet the difficulty than the Southerners, for we would have 700,000 of our own fit to bear arms besides having the whole power of England at our back and the sea open to us. (Hear, hear). In the present Bill the number of exemptions was very limited, only Judges and Clergy were unable to bear arms, and one or two other classes. As regarded Quakers, they would not be required to take part in anything connected with actual fighting. He went on to explain that his reason for taking the control of the Militia Department was because its duties were arduous and he desired to engage in them. Besides, it was a diversity, and in his time he had occupied various important positions. He had had much to do with their educational legislations; with their railway legislations; with the codification of the laws, and with the appointments to the Bench and Bar, as was evidenced by the discussion last night.

(Laughter). Now, he assumed control of the Militia Department and hoped to give satisfaction in the discharge of its duties. (Hear, and laughter.) Now he came to the Bill of costs—the “to be or not to be” he supposed, of the whole scheme, and as he approached this portion of the subject, he warned honourable gentlemen not to place too much faith in newspaper statements concerning the expenses of the militia organization. Before going further he desired to call the attention of the member for Chateauguay to another subject germane to this—fortification. That was a question of money, and when the Bill before the House was discussed on its second reading, he proposed then to explain the Government measure regarding fortifications. He would state the amount of money which would need to be expended by the Dominion to complete the fortification required of them by the Imperial Government. He would not say a word as to this expenditure at present, but would merely ask honourable gentlemen on both sides of the House not to let themselves be frightened beforehand—let them wait for his statement, and he was sure they would be delighted with it. (Laughter.) Before alluding to the bill of costs, he would lay before the House a statement of the militia expenditure for the late Province of Canada since 1864 and '65. In that year the appropriation for militia service was, in round numbers, \$384,000. Then arose the necessity for reorganizing the militia, in consequence of the St. Alban's raid, and hence the expenditure in that year reached \$744,000; and there had to be a vote of credit given in order to cover the amount expended in excess of the appropriation. In the year 1865 and '66, the year of the Fenian invasion, there was another large and unexpected expenditure for militia services. The sum voted for that purpose was \$470,000, while the expenditure amounted to £1,285,000; for the deficiency Parliament had again to give a Bill of Indemnity. Since then honourable gentlemen would be aware the organization of this force had to be kept up to the standard of 1866 in consequence of Fenian movements. Indeed it would appear as if they were moving all the time. Well, in 1866 and 1867 the amount appropriated was \$1,887,000, and the money actually spent \$1,700,000; and now for the present year, that is from July last to July next, there was an appropriation necessary including \$140,000 to Nova Scotia, and \$80,000 to New Brunswick. He could not get from these Provinces an accurate statement of their expenditure, but

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estimated it at three figures; but including these, an expenditure of \$1,148,000 would be necessary, besides \$470,000 for the house accommodation, etc., necessary for the ammunition they bought from the Imperial Government. The \$1,148,000 was, in fact, ordinary expenditure. The whole amount of Military expenditure during the current year with these claims paid by the Imperial Government, and for which they would have to be reimbursed, would amount to \$1,421,000. During the last three years, it would thus be seen, they had spent on an average more than \$1,500,000 on the militia, and there was something to show to their credit on account of this large expenditure. The Government of Canada had in store paid for \$447,000 worth of property in the hands of the militia and volunteers; and they had \$828,000 clothing, etc. Then they had the value of the drill-sheds in the two provinces, Upper and Lower Canada, amounting to \$81,000. The value of their gunboats was \$33,000, making in all \$1,389,000 that belonged to the Government of Canada.

**Mr. Mackenzie** inquired if the amount set down for drill-sheds was the sum paid by Government or the local value of these sheds. The municipalites, it should be remembered, paid half their costs.

**Hon. Mr. Cartier** would answer the question fully another day. The municipalities, it was true, contributed their share, but he believed the property became that of the Government, but he would make enquiry about it. Government at all events owned about one-third the value of the drill sheds. Now the aggregate of all the property belonging to the Militia department was \$1,400,000, and supposing \$40,000 were deducted from that for the share given by the municipalities in the drill sheds, \$1,360,000 worth of property would be left to represent a portion of the expenditure, of which he had just spoken. He believed the member for Chateauguay did not believe in the usefulness of such property as not paying a dividend. But inasmuch as it was appropriate, for the defence of the country, it was really yielding a larger dividend to the principal of the Dominion.

It being six o'clock the House rose.

**After the recess.**

**Hon. Mr. Cartier** resumed his speech. The measure which he was about to introduce, if it became law, would have afforded the means of protection and defence required

during the last three years, but at a greatly reduced expenditure. Should there be another Fenian invasion, they should be met with still stronger force than on the previous occasion. They would make known by their fortifications and militia measure that they were determined to be British—(hear)—that they would acknowledge no other sovereign. He felt sure that if it were necessary to carry out an expensive measure of defence, the House would sanction it. (Hear). His measure was an economical one, and would commend itself to the House. He would now proceed to speak of the bill of costs. In the first place, he intended extending the military schools; for having introduced these military schools in the late Province of Canada, the member for Cornwall deserved every credit. These schools in Toronto, Montreal, Quebec and Kingston had been attended with most satisfactory results. He desired that native military talent should be employed as much as possible, for there were many men in Upper and Lower Canada who understood training well. Into the sister Provinces of New Brunswick and Nova Scotia the benefits of these schools were to be extended, and in his appropriation he would ask sufficient to enable schools to be established there. He would have to provide for the salary of the Adjutant-General, and Deputy Adjutant-General, and officers required for that department, and would also have to provide for nine district Deputy Adjutants-General, with their necessary staff, and also for six Brigade Majors. Now for this department salaries, including the department of the Adjutant-General at Ottawa, his deputy and clerk, and the Deputy Adjutant-General at the head of the several districts which he had mentioned, with their staff—the whole expenditure, in fact, would be \$54,000. To this had to be added the sum for Brigade Majors. Under this head, in the late Province of Canada, the expenditure had been \$19,000. In addition to the officers then required, six more had to be appointed for Nova Scotia and New Brunswick, making the whole amount \$25,000 for contingencies. He provided the sum of \$45,000 for accidents to which the force was liable at drill. The average sum voted by the late Province of Canada had been \$2,000, and this sum, he was happy to say, had only been to a small extent drawn on. Hence, he thought, \$3,000 would be ample for the Dominion. Ammunition was set down at \$50,000; military schools, \$120,000, in the late province of Canada. The average expenditure in each military school had been \$20,000, the four schools costing \$80,000. To this

he proposed to add \$40,000 for the same service in New Brunswick and Nova Scotia. This brought him to the large item of clothing. Of course, as he explained, the Government had already in store an amount belonging to the volunteers, and doubtless New Brunswick and Nova Scotia had also property in this way, but he had yet no data in this matter. Well, for this service he proposed to ask \$75,000. It was, he might say, presumed the clothes of a militia man lasted 5 years, but that did not prove to be the case. Then, again, presuming there would be at least 20,000 volunteers organized, their cost for sixteen days drill would be \$160,000 and for their horses there would be an expenditure of \$15,000. With regard to the service companies, he would not ask an appropriation exceeding the expenditure for eight days' drill for the first year. He made his calculation on 20,000 service militia men, at eight days, making \$124,000; and then there were 6,000 officers. First, he intended these should receive \$1 a day; but, ultimately, it was resolved to put all the officers on the reserve volunteer force on 50 cents per day, and consequently the expenditure under this head would be reduced. At \$1 per day each, the 6,000 officers would cost \$48,000; but, as he said, the allowance had been reduced one-half.

**Mr. Mackenzie**—Surely the honourable gentleman does not put 6,000 officers to 20,000 men.

**Hon. Mr. Cartier** said he alluded to the active and service militia men. By the Bill he introduced, he supposed the country divided into 200 battalions, with 30 officers for each battalion, making 6,000. The transport of the service militia, taking the ballot and unforeseen expenses, he set down at \$33,000, taking the enrolment \$32,000; and this would be done by the captain of every company division, who would receive a sum to make a census according to the number of militia men to be enrolled. After the first enrolment, the Government would have of course better data to go on. For the Brigade Majors, the estimated expense was \$25,000, the sum formerly voted for this purpose by the Province of Canada. Then for Drill Inspectors, \$50,000 was required.

**Mr. Mackenzie**—That is more than half as much as last year.

**Hon. Mr. Cartier** replied that this was owing to the extra provision for New Brunswick and Nova Scotia, and also to provide

for the increasing population in Quebec and Ontario. Military stores, great coats and accoutrements came next—\$55,000 altogether. The whole service to be performed under his Bill came to an expense of \$900,000 and no more. (Laughter.) Of course, he had not included any amount which the Dominion Parliament might choose to appropriate for drill sheds, for the policy of the late Government of Canada in that respect ought to be, and he hoped would be, carried out. Now, in conclusion, he would say he was almost ashamed of coming before that great House of Commons, and asking so small an amount of money to enable him to perform so great a service. (Laughter.)

**Mr. Mackenzie**—The honourable gentleman has not often sinned in that direction. (Laughter.)

**Hon. Mr. Cartier** knew he had been a sinner; but thought for this measure, at all events, he deserved praise. He thought he would deserve credit for maintaining 40,000 men and 6,000 officers in a state of efficiency at the small charge of \$900,000. The member for Chateauguay was no doubt astonished—(laughter)—but that sum was all he (Mr. Cartier) meant to ask for.

**Mr. Mackenzie**—In calculating the expenses last year, the honourable gentleman included the expenditure on gunboats—an item of \$153,000, and with the view apparently that his present measure should contrast as favourably as possible with that before in force. He had omitted to include any expense under this head.

**Hon. Mr. Cartier** would explain gladly. Last year gunboats had to be purchased; hence the expenditure. Now the Government had two gunboats, and needed no vote of consequence for that service. Besides, all the expenditure for the gunboats would be provided by the Imperial Government.

In answer to **John Sandfield Macdonald**,

**Hon. Mr. Cartier** said it was provided with regard to the assembling of service companies that it should be done by regulations enacted from time-to-time, to suit each district. He would add that perhaps the \$900,000 asked for would not be spent in this case. A portion might be applied to the procuring of tents to shelter the service companies. From a statement of prices before him he found that the English price for 2,000 regimental division tents, officers and privates, would amount to

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\$86,000. It was also provided by the Bill that the Governor-in-Council should make regulations with regard to the carrying out of the measure, and these regulations would be laid before Parliament during the first twenty or thirty days of the session. With regard to the enrolment in time of war, every one would be obliged to serve, with the privilege of securing a substitute. In time of peace every man will be obliged to serve, but can supply a substitute or pay \$30.

In reply to **Hon. Mr. Holton**.

**Hon. Mr. Cartier** said that before the second reading, the correspondence respecting the organization of the Militia and Fortifications of the country would be brought down to the House, as also the laws of New Brunswick, Nova Scotia and Canada, to assist in the discussion of this measure.

**Mr. F. Jones** asked if any provision were to be made to prevent military cadets from leaving the country, after receipt of their education to serve under foreign powers.

**Hon. Mr. Cartier** said that there was no law or principle under which the action of any portion of the adventurous portion of the country could be justly controlled, nor did he recognize the desirability of attempting to circumscribe the area of the exuberant activity of the population, whose deeds of arms abroad, whether in America, in Mexico, or in Italy, would tend to throw lustre on the land of their education. (Loud cheers.) With regard to the French Canadian gentlemen who had left for the defence of the Chair of His Holiness, he would only say that they had not, as he understood, desired to fight against a friendly country, but only against the Fenians of Italy. (Laughter and cheers.) His Holiness was the greatest enemy in Christendom to Fenianism, and had when he (Mr. Cartier) and Mr. McGee had had the honour of an interview with him, said "I hope, my dear child, that you have no longer any trouble from those Yankee Fenians." (Loud and prolonged cheering.) He moved for leave to introduce the Bill amid continued applause.

**Mr. Jones (Leeds)** in reply to the Hon. Mr. Cartier, said that he had no idea that his question would have excited the Hon. Minister of Militia to so great an extent; but he hoped the great mental exertions of the honourable gentleman would not impair his physical constitution. The House had, however, derived one advantage from the question

which he (Mr. Jones) had proposed, and that was a manifestation of earnestness and eloquence from the Hon. Minister of Militia, such as we had not previously heard from that honourable gentleman. It appears, however, that the Minister of Militia had not fully comprehended his meaning, although he (Mr. Jones) had attempted to make himself clearly understood. When it was proposed, this year, to ask the House for a grant of \$110,000 for Military Schools, which is no less than \$40,000 more than what was required last year, he (Mr. Jones) was desirous of knowing whether any guarantee would be required from young men attending those schools, so that after receiving military instruction at the expense of the public, they would not leave Canada for the purpose of engaging in the military service of any foreign power, whether of Italy or any other. I regret that the honourable gentleman in answering this question should so far deviate from the subject before the House, as to enter upon a discussion of the relative merits of the Pope and Garibaldi. The honourable gentleman in answering the question, stated young men educated for the various professions were at liberty to leave the country at any time, and to locate themselves in any part of the world, and that the same liberty should be allowed to young men who wished to gratify their military ambition. Now the Minister of Militia must see that there is no analogy existing between the case of young men who have received instruction at the public expense of our Military Schools, and that of other young men who have at their own expense prepared themselves for different professions. But we have no knowledge that young men have ever left Canada in organized bodies of lawyers or doctors for the purpose of engaging in the defence of any foreign power whatever. Let us suppose that this principle of volunteering for the defence of foreign powers should be carried out more extensively, and that young men of Ontario, who have received military instruction at the public expense, should engage in the service of Garibaldi, and leave Canada in organized bodies to fight on the side of political liberty in Italy, then we should behold the sad spectacle of Canadians educated at the expense of the Canadian public fighting the battles of contending parties on Italian soil. Now, is this what the people of Canada are to be taxed for to the extent of \$110,000 a year to furnish soldiers for the service of the Pope and

Garibaldi? What I contend for, Mr. Speaker, is, that we have neither men nor money to spare to furnish soldiers for any power whatever; but that Canadians should be encouraged to remain in our own country to assist in defending Canadian soil in time of danger, and in maintaining British power on this continent. (Cheers).

**Hon. J. S. Macdonald** alluded to the measure of 1862 as showing the distaste of the people of Canada to being coerced into military service. He believed that in the absence of danger the present or any other measure introduced would be a dead letter as regarded the mass of the militia; but let danger once arise, and every man in Canada would be prepared to rush to arms in defence of his home and country. He alluded to the heartiness with which large appropriations for the defence of the country had been carried in the House, and the unanimity with which this action of the representatives had been regarded by the people. The Minister of Militia had drawn a glowing picture of the valorous deeds which would be achieved by the 700,000 fighting men whom Canada could place in the field, but he knew well that this Bill did nothing for the military training of this body of men, except the civil service men.

He then alluded to the violent attacks made on himself by Mr. Cartwright and other gentlemen on the opposite side, because of the alleged short-comings of his measure. The gentlemen drew their inspiration from a dispatch from the Colonial Office requiring Canada to maintain 50,000 men in a state of efficient drill. Among others who made incessant attacks on him, because his patriotism did not reach that pitch, was the present Minister of Finance. He wished to know what these gentlemen would find it incumbent on them to say now, when under circumstances more menacing of danger, and with two other Provinces added to the Union, the Minister of Militia was now content with 40,000 men. (Hear, hear.) He proceeded to read passages from the Duke of Newcastle's despatch, which, besides requiring 50,000 men, demanded that we should set apart a certain sum of money for purposes of defence for five years beyond the domain of our own Parliament and under the control of the Imperial Government. He referred to the prompt answer given by his Government, that the people of his country would adhere to the principle that when they raised money,

they should have the disposal of it themselves, and that it was beyond the resources of this country that 50,000 men should be drilled in the manner proposed. He and the honourable gentlemen who were his colleagues had now the satisfaction of finding that the principles they had laid down in regard to the number of men and the expense they would incur, and which met the hostility of the gentlemen opposite, were the very principles of the measure now submitted. (Hear, hear.) The Bill, from the explanations which had been given, he thought should receive the support of the House. The only material difference between it and his own measure was as to the machinery of enrollment, his measure in that regard did not cost the country anything, while by the present bill \$22,000 was asked for the enrolment of captains. He did not know what the gentlemen who formed the regular opposition might say of the Bill, but to his own mind the general outlines of it which had been submitted were satisfactory, it was in fact a carrying out of the measure of his (Mr. Sandfield Macdonald's) Government. He proceeded to refer to the great interest taken by Lord Monck in militia matters and the assistance he had received from him in preparing his measure. He then expressed satisfaction at hearing the complimentary language in which the Minister of Militia had referred to Col. W. Powell, for whose appointment he (Mr. Sandfield Macdonald) had been at the time condemned by gentlemen opposite in unmeasured terms. It was a lesson to public men that when they made up their minds they were right (and he well knew that Mr. Powell's business abilities fitted him for the position), they should go ahead, and the day would come when they would be compensated for the abuse which at the time they might receive.

**Mr. Mackenzie** said he had anticipated, from the known proclivities of the Minister of Militia, that he would have submitted a very different Bill from that which had been actually presented to the House. As that honourable gentleman had frequently declared that he never regretted anything he did, he had expected we would have had the famous Lysons Bill presented again. He supposed the people generally would not be sorry that this expectation had not been realized. (Hear). But taking a cursory view of the scheme as presented, he thought it was either too little or too much. It appeared to him that

[Mr. J. S. Macdonald (Cornwall).]

the sum of money to be appropriated was far more than enough to accomplish the results sought to be obtained. The Bill, therefore, was insufficient as regarded what it would achieve; or it was too dear for what we would get. He was glad, however, to infer from what had fallen from the Minister of Militia, that he had succeeded in satisfying the English Government, and also the Commander of our Militia, Col. Macdougall, who, it was rumoured, had prepared a Bill very different from this in its character. He could not enter to-night into any discussion of details, until he had the Bill before him, to contrast it with the present law; but he would say that so far as the gentlemen on the side of the House with whom he generally acted were concerned, the Minister of Militia would receive from them no factious opposition in this matter more than in any other matter; but that they would be prepared to support the Government in any Military expenditure which might be considered necessary, when the defence of the country and the honour of the empire were concerned. (Hear, hear). Mr. Mackenzie then referred to the different treatment given by gentlemen opposite to the Government of the member for Cornwall at the time when they laid down their policy on the question of defence, in the despatch which had been alluded to, and which he characterized as the best written state paper which he had ever seen emanating from this country. He then referred to a remark of Mr. Cartier as to the number of the seafaring population of Great Britain, and gave the correct figures, showing that Britain and her colonies, in the commerce and marine, had afloat on the sea a total of 432,000 men, and said that those figures were consoling when they read the rant occasionally spoken of in the United States about the decadence of the British power. (Cheers). He closed by stating that he would embrace the opportunity afforded by the second reading of the Bill, to give at greater length his views on the measure and the question of defence generally.

**Hon. Mr. Dorion** contrasted the features of this Bill with the existing law introduced by the Government of which he was a member, and charged that this measure put restrictions to volunteering by confining the number of volunteers in any regimental division to the quota that division was required to furnish. In districts where the quota was not furnished by volunteering, resort would be had

to the ballot, by this Bill therefore the compulsory system was substituted for the volunteer system. He saw no good reason for such a change, on the contrary, he thought every encouragement should be given to volunteering.

**Hon. Mr. Cartier** made some remarks in reply to observations by previous speakers. He said although he and his friend had found fault with the shortcomings of the member for Cornwall, they had voted for it. He hoped similar treatment would be accorded to the measure he now introduced, even by those who might be disposed to criticize some of its features.

**Mr. Cartwright** was as firmly convinced as ever that the conduct of the Parliament in refusing the measure of 1862 was unpatriotic and such as had injured the country.

In reply to **Mr. Blanchet**,

**Hon. Mr. Cartier** said the volunteer service was reduced from five to three years, with the privilege of leaving on six months notice, except when on actual service. They would have no remuneration save that of the feeling of honour consequent on the faithful discharge of their duty. The Governor had power to divide the country into geographical and regimental divisions. The battalions were to be formed of all the service and volunteer companies. The country was divided into 9 districts, these to be sub-divided into regi-

mental divisions, and again into company divisions. It is proposed that Lower Canada be divided into three districts; Ontario four districts, and New Brunswick and Nova Scotia one district. He further explained that he intended to move the second reading of the Bill for Easter Tuesday before the House adjourned.

**Mr. Mackenzie** called attention to the double cost entailed in printing the several Bills of the House, such as this, which had been sent to other than the House printers, and was also printed by the latter. The work was thus done at double cost.

**Sir John A. Macdonald** replied that generally the Government sent their work to the House contractors, who were worthy and reliable men; but occasionally Government Bills were sent to the Queen's printer.

Bill read a first time, and ordered for a second reading on the 14th of April.

**Hon. Mr. Holton** complained that no estimates were yet forthcoming. It was high time that this tariff policy, which they declared their intention of re-opening, should be before the country.

**Sir J. A. Macdonald** replied that the Finance Minister was preparing his measures with as much speed as could be made with Bills involving such a great amount of labour.

The House adjourned at 10 minutes to 2.

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# HOUSE OF COMMONS

Wednesday, April 1, 1868

The Speaker took the Chair at three o'clock.

## QUESTIONS

It was elicited from Ministers in reply to the understated questions, viz.:

### CANADIAN VESSELS

**Mr. Stephenson**—Whether it is the intention of the Government to impose a duty upon repairs made to Canadian vessels while in American ports; and also whether the Government have considered and decided as to the propriety of imposing a tax upon American built vessels upon their being registered in Canadian ports?

**Hon. Mr. Rose** said the question of imposing a duty upon repairs made to Canadian vessels upon their being registered in Canadian ports was under the consideration of the Government, and their policy on the subject would be explained during the present session.

### CANADIAN FISHING INTERESTS

**Hon. Mr. Campbell**—Whether the Government is in possession of any and what information touching the imposition by the United States Government of additional duties on British caught fish, or of any other changes prejudicial to the fishing interests of the Dominion; and also whether it is the intention of the Government to impose any, and what additional tonnage duty on United States fishing vessels?

**Sir John A. Macdonald** said the Government had information of certain changes in the United States Customs regulations prejudicial to Canadian fishing interests, and the whole subject was now engaging their attention. As regarded the intentions of the Government to impose additional tonnage duty on United States fishing vessels, it would be improper for the Government to answer that part of the question.

## SPENCER WOOD

**Mr. Bodwell**—Whether it is the intention of the Government to keep up Spencer Wood, as well as Rideau Hall, for the accommodation of His Excellency, the Governor-General, and to make the expenses of his contemplated removal to Quebec, at the close of the Session, and return, chargeable as heretofore to the Consolidated Fund?

**Hon. Mr. McDougall** said the property known as Spencer Wood was being kept up until its ultimate fate—whether it should be sold or go to the Local Government—should be decided. As to the Governor's contemplated removal to Quebec at the close of the session, or return to England, he knew nothing.

## SUNDAY WORK

**Mr. Bodwell**—Whether it is the intention of the Government to adopt any measures to prevent traffic on the Carillon and Grenville Canal on Sunday?

**Hon. Mr. McDougall** said Government would continue to make arrangements as far as possible for preventing traffic on the Carillon and Grenville Canal on Sunday.

## BUST OF ROBERT BALDWIN

**Mr. Beay**—Whether the Government has taken any steps in compliance with the address of the House of Assembly on the 10th August, 1866, for the procuring of a bust of the late Hon. Robert Baldwin?

**Sir John A. Macdonald** said the Government had not taken any steps in compliance with the address of the House of Assembly of 10th August, 1866, for procuring a bust of the late Robert Baldwin. A number of Ministers having gone to England shortly afterwards, the matter had escaped their attention, and had only been recalled to his mind by seeing the arrival of the bust of Col. Taché.

## MARRIAGE LAWS

**Mr. Mackenzie** moved an address for correspondence with the Local Governments concerning the present state of the marriage laws.

### ESSEX ELECTION

**Mr. Sproatt** moved that the petition of Messrs. Sproatt and others, electors of Essex, complaining of the poll books and other improper practices, at last election in Essex, be referred to the Committee on Privileges and Elections. Carried.

### BANK OF MONTREAL

**Hon. Mr. Holton** moved that it be ordered that copies of all correspondence between the Minister of Finance and the Bank of Montreal, respecting the sale of Dominion Stock, be laid before this House, etc.

**Hon. Mr. Rose** said he must oppose the motion. The Government were willing to give the fullest information as to the plan adopted in bringing the scheme before the public, and as to amount issued, the rates at which it was issued, and the number of persons to whom the stock was allotted; but when the question was up the other night, the House affirmed the principle that it was improper to give the names of any persons or corporations who either had bidden for the stock or had it assigned to them, and to that principle the Government adhered. He also contended that the banks were not bound by their charters to give such information as was now asked. He begged to take this opportunity of stating, with reference to remarks he made in the former debate, that all the stock had been given out at par or not under par.

**Hon. Mr. Holton** said the argument of the Minister of Finance the other day was that it would be inconvenient if not improper to disclose the names of private parties who had been allottees of the stock. The House had affirmed that view, and he (Mr. Holton) did not wish to disturb the decision then arrived at. But in this motion there was no reference either to private parties or even to corporations, except the one great corporation which was in such intimate connection with the Government. As to the question of public policy, he thought the House should insist on knowing all about the connection of the Government with its financial agents here as well as in England. The impression created by the refusal of the Finance Minister to assent to his motion of a few days ago was that his scheme, so far as the general public was concerned, had been an utter failure, that he had not succeeded in getting the general public to subscribe to any considerable amount. The effect of his refusing to grant this motion to-day would be to

strengthen the conviction that the Bank of Montreal had obtained undue favour in these as in previous negotiations, else why withhold the information.

**Mr. Blake** said whatever force there might have been in the general reasoning brought to oppose the motion made a few days ago, it could be of no force when applied to refusing information with regard to transactions between the Government and its financial agents. He thought it would be unfortunate if Government would not accede to that. Whatever connection there might have been between the Bank of Montreal and the Government in the way of the bank becoming recipient of this stock should be disclosed. A refusal would warrant the inference that there had been some transaction between them and their financial agents which they were unwilling to disclose.

**Sir J. A. Macdonald** said that while the Bank of Montreal was the financial agent of the Dominion, it was a monetary institution no more bound to disclose its private business to the public than any other bank. The first part of the motion, requiring the production of all correspondence between the Minister of Finance and the Bank of Montreal, as to Dominion stock, was altogether indefensible. A great deal of such correspondence must be necessarily confidential. Suppose there was a correspondence with Baring's & Glyn's as to placing the loan for the Intercolonial; at first Baring might take one view and Glyn another; and there must be a good deal of preliminary correspondence before the proposition were put into a shape to be a basis for official action. Monetary men and institutions would decline to enter into such correspondence unless it was to be conducted in a free confidential manner. As a general rule, the official documents brought down were merely the final results.

**Mr. Mackenzie** said in the early part of the session the Minister of Finance appealed to himself and others on that side to assist in saving him from the clutches of the Bank of Montreal. He (Mr. Mackenzie) tendered him his best efforts to save him, but the honourable gentleman ought to afford a fair opportunity of doing so. This motion had been made in the honourable gentleman's own interest, and he resisted it. Perhaps during the long recess the institution he was so anxious that they should save him from, had brought him to his knees—(hear, hear)—and he was therefore obliged to refuse the information which Parliament had a right to demand. He

had never before heard the doctrine laid down that correspondence affecting the monetary interests of the country between the Government and any monetary institution, should not be laid before Parliament. He did not see why the whole correspondence, which might take place with Baring's & Glyn's with respect to the loan for Intercolonial, should not be made public, unless there was an idea there was to be some corruption in the proceedings which it was desirable to conceal. In refusing information of this kind, the Government were assuming an autocratic power which did not belong to them. They might as well assume the whole legislative authority.

**Hon. Mr. Galt** expressed his concurrence in the view of the Government that they were not bound to give up the names of parties who tendered for stock, or to whom it was allotted. He could not imagine, however, that there was anything in the transaction with the Bank of Montreal which required to be concealed, and he thought the Minister of Finance might as well tell the House, without any return, whether the Bank of Montreal got any, or what amount of stock, and on what terms they got it.

**Hon. Mr. Smith** supported the motion. He considered that the Government held their places as servants of the people and to advance the interests of the people, and the people were entitled to be made acquainted with their public transactions.

**Mr. Blake** said the Minister of Justice had defended the refusal of the correspondence with the Bank of Montreal on the ground of its being confidential. The public ought to know whether the Bank had made anything in consequence of the advice which they gave in confidence.

**Mr. Parker** said if the banks withdrew their capital from carrying on the business of the country, to promote which they got their charters, and invested it in stock of this description, the country should know it. It was especially necessary that such information should be furnished with regard to the Bank of Montreal, on account of its being the financial agent of the country. There was an uneasy feeling in the country with reference to the connection between the Government and the Bank of Montreal; and when a demand on the Government for information was refused, and the refusal was coupled with the admission that there had been private correspondence on this matter and others between the Government and the Bank, the public would be likely to come to the

conclusion that there was something warranting great suspicion on this and other transactions which were taking place.

The question was then put, and the House divided, when the motion was lost. Yeas, 58; Nays, 92:

**Yeas**—Messrs. Anglin, Bechard, Blake, Bodwell, Bolton, Bourassa, Bowman, Burpee, Cameron, (Huron), Cameron (Inverness), Cheval, Coffin, Connell, Coupal, Currier, Dorion, Drew, Ferris, Fisher, Forbes, Fortier, Geoffrion, Godin, Holton, Huntington, Kempt, Kierzkowski, McDonald (Glengarry), McDonald (Antigonish), McDonald (Lunenburg), Macfarlane, Mackenzie, McConkey, McLellan, McMonies, Metcalfe, Mills, Morison (Victoria, O.), Oliver, Paquet, Parker, Ray, Redford, Ross (Victoria, N.S.), Rymal, Savary, Senecal, Smith, Snider, Sproat, Stirton, Thompson, (Haldimand), Thompson (Ontario), Wells, White, Whitehead, Workman, Young.—58.

**Nays**—Messrs. Abbott, Archambeault, Ault, Beaty, Beaubien, Bellerose, Benoit, Bertrand, Blanchet, Bodwell, Bown, Brousseau, Brown, Caldwell, Campbell, Carling, Caron, Cartier, Cartwright, Cayley, Chamberlin, Chauveau, Cimon, Colby, Costigan, Crawford (Brockville, Crawford (Leeds), Daoust, De Niverville, Desaulnier, Dobbie, Dufresne, Dunkin, Ferguson, Fortin, Galt, Gaucher, Gaudet, Gendron, Gibbs, Grant, Gray, Harrison, Holmes, Howland, Huot, Hurdon, Irvine, Jones (Leeds Grenville), Keeler, Kirkpatrick, Langlois, Langevin, Lapum, Lawson, Little, Macdonald (Cornwall), Macdonald, Sir J. A. (Kingston), McDonald (Middlesex), Masson, (Soulanges), Masson (Terrebonne) McCallum, McCarthy, McDougall, McGee, McMillan (Vaudreuil), Morris, Morrison (Niagara), Munroe, O'Connor, Perry, Pinsonneault, Pope, Pouliot, Rankin, Read, Renaud, Rose, Ross (Champlain), Ross (Dundas), Ross (Prince Edward), Scatcherd, Shanly, Stephenson, Street, Sylvain, Tilley, Tremblay, Wallace, Walsh, Webb, Wilson, Wood,—92.

#### INTERCOLONIAL RAILROAD SURVEY

**Mr. Jones (Leeds)**, moved an address for a statement of the expenses connected with the survey of the Intercolonial Railroad since the appointment of Mr. Sandford Fleming in 1863—Carried.

#### PRINCE OF WALES

**Mr. Bown** moved an address for copies of accounts rendered to the Department of

Public Works, for services, etc. in the town of Brantford on the occasion of the visit of the Prince of Wales—Carried.

#### DUTY ON HOPS

**Mr. Colby** moved an address for memorials addressed to the Government on the subject of the duty on hops.—Carried.

#### HEMLOCK TIMBER

**Mr. Pope** moved the appointment of a special committee to inquire into and report upon the best means of protecting hemlock timber, to consist of Messrs. Dunkin, Wood, Huntington, Bown, Masson, Senecal, Beaubien and the mover—Carried.

#### RAILWAYS

**Mr. McConkey** moved an address for sundry returns as to the cost, the traffic, working expenses, etc. of the railways of the Dominion—Carried.

#### LOWER CANADA CIRCUIT COURTS

**Mr. Paquet** moved for a return of moneys received by the Clerks of the Circuit Courts in the Province of Quebec, in virtue of Section 32 of Chapter 109, Consolidated Statutes of Lower Canada—Carried.

#### PENSIONS

**Mr. Connell** moved for a return of pensions paid by the late Province of Canada, New Brunswick and Nova Scotia, for the year ending 30th June, 1867—Carried.

#### PUBLIC ACCOUNTS COMMITTEE

**Hon. Mr. Holton** called the attention of the Finance Minister to the fact that the Public Accounts Committee had not yet been called together.

**Hon. Mr. Rose** said the Minister of Inland Revenue was Chairman of the Committee, and he believed it would be called together as soon as practicable.

#### NORTH-WEST TERRITORY

**Mr. Mills** moved an address for correspondence with the Government of Ontario with a view to obtain the surrender to the Government of Canada of the North-West Territory.

**Hon. Mr. McDougall** said all the correspondence on the subject of the North-West Territory had been brought down in answer to a previous address.

[Mr. Brown (Hastings West).]

**Mr. Mills** said when the subject of the North-West Territory was under discussion in the early part of the session, the House was informed by the Minister of Public Works that the Government of this country did not surrender their claim to that territory, in asking the British Government to give us control over it. That honourable gentleman stated he had no doubt that the territory formed, at the time of the Treaty of Utrecht, part of the territory of New France, surrendered to Great Britain by the French Government. If so, it must form part of the territory of Ontario. If a separate Government were to be established in that territory, it appeared to him that this Government ought to deal for it with the Government of Ontario rather than with the Government of Great Britain. If there had been no correspondence on this subject, it appeared to him the Minister of Public Works must have failed in his duty.

**Hon. Mr. McDougall** said there had been no such correspondence. There might be room for difference of opinion. The boundaries of Upper Canada on the North-West, as he understood, were fixed by law. Perhaps the exact line had not been defined, and when the Government claimed control of the territory, the question would become an important one where Upper Canada ceased and where that territory began. But at present he saw no object to be gained by raising a correspondence between this Government and the Government of Ontario over that question. If the honourable gentleman wished his (Mr. McDougall's) views, he would say that he believed according to the Act of 1791 the boundaries of Upper Canada were somewhere on the highlands to the North-West of Thunder Bay, but it did not extend into the Red River Valley and Valley of Lake Winnipeg. The interior had been occupied by the French and by the Treaty of Utrecht it became British territory; but it remained under the control of Great Britain, not under our control.

The motion then dropped.

#### HOPS

**Mr. Colby**, in moving his address on hops, complained that Canadian hops were subject to an export duty of 5c. per lb. while hops from the United States were imported free of duty. Such an anomalous state of affairs ought to be terminated as quickly as possible; for, whether the interest of the hop grower of the Province or of the revenue were considered, there could be but one conclusion, and

that was that there must be reciprocity with the United States in this matter, either reciprocity in duties or reciprocity in free trade. He believed he was correct in stating that since 1864 the duty paid by Canadian hop growers in exports to the United States had been some \$60,000, and about the same amount was set down as the value of Canadian imports. Hence there had been considerable loss to the revenue—and in these days, when every source of revenue was being taken into account by the Finance Minister, this one ought not to be overlooked. This was a matter in which, of course, the brewing interest was concerned, and it might be complained that, owing to the excise laid on brewers, they were already sufficiently burdened. Still, if hop growers had been suffering 12 or 14 years under an unjust system, it would not be fair to ignore their claims because the brewing interest might be temporarily burdened. It was surely matter of complaint that while the farmers of Vermont, for instance, had access to two markets—the United States and the Dominion—Canadian farmers were, by the onerous conditions imposed, virtually restricted to one.

**Hon. Mr. Rose** said there was no objection to the motion, and he was obliged to the member for drawing attention to this matter in a speech of ability. He (Mr. Rose) might say there were numerous petitions against the duty on hops. As to the policy of the Government on the matter, it would not be fair to make any statement at present.

**Hon. Mr. Anglin** desired to give the House a Lower Province view of this matter. There they did not grow hops. They complained of the imposition of onerous duties, to which they had not been accustomed. Among these was an excise duty on malt, from which their brewers had been hitherto exempt. If in addition the Government sought to impose a duty on hops, he felt he was warranted in assuring the Minister of Finance that the disaffection existing in New Brunswick and Nova Scotia will become intensified.

**Mr. Ross (Prince Edward)** hoped that the Government of the Dominion would see that there was a duty on American hops for the protection of the Canadian growers. His county was one of the largest hop growing districts in the Dominion, and he wanted to warn the Government that if they did not look to this interest, they would get more opposition on account of this one article than they reckoned on. (Hear, hear, and laughter).

**Mr. Chamberlin** thought that this interest and some of the other agricultural interests in the frontier counties ought to be considered in the forthcoming tariff, and that there should be some such protection as had been alluded to for their industry at the present moment.

The House then rose for the recess.

**After recess,**

**Mr. Fortin** addressed the house on his fishery motion, urging the appointment of a special committee on the Maritime and fluvial fisheries and sea and inland navigation.

**Mr. Mackenzie** objected. It appeared to him entirely out of place at the present stage of the session to take up so important a subject with the view of sending for persons and papers.

**Mr. Morris** differed with the member for Lambton, and held that even though the labours of the committee would not conclude this session, still it was important the committee should be appointed and get to work.

**Mr. D. A. McDonald** was happy to support the motion of the member for Gaspé.

**Mr. Blanchet** would support the motion, believing the fisheries to be a good school for navigation.

**Mr. Coffin** as great interests were at stake, was glad a movement was being made regarding their fisheries. Such a movement ought to have been made long since.

**Hon. Mr. Holton** said the subject to come before the committee was one which they could hardly consider. The course followed by England under similar circumstances ought to be followed, namely, appoint a commissioner. It would be a less expensive and more thorough mode of dealing with the matter than was suggested by the member for Gaspé.

**Mr. Mackenzie** explained that he had no objection to the appointment of the committee, did not object to sending for persons and papers, and attempting to get a complete report on a subject of such magnitude at that late period of the session.

**Mr. Fortin** said his intention was only to get a correct statement of the extent of their fisheries and navigation. As for the power to send for persons and papers, he added that because many persons, living at no great distance, might, he thought, be brought before the committee advantageously. Be-

sides, there were many men in the House who could give valuable information on the subject.

**Sir John A. Macdonald** thought that by agreeing to the motion a valuable preliminary report might be got up by the committee. It would be a pity to allow the motion to stand over for another year—for he might inform the House that it was his intention to move, when the House rose finally that session, that it be prorogued till after New Year, and probably till the 1st of February next. There was, at the same time, much in what had fallen from the members for Lambton and Chateaugay.

**Mr. McDonald (Lunenburg)** alluded to the bounty question as one which was of great interest to the Lower Province people, and one concerning which there ought to be some declaration by the Government.

**Hon. Mr. Anglin** said that, as a member of the Committee, he thought their labours ought to be of a comprehensive character, embracing everything relating to the fisheries.

**Sir John A. Macdonald**, in reply to the member for Lunenburg, said the motion was quite wide enough to allow the Committee full scope for their inquiries.

The motion was carried, with the following additions to the Committee:—Ross (Prince Edward), Fisher, Chauveau and Langlois.

#### PORTIONING OFF BOUNDARIES

**Hon. Mr. Chauveau** moved the second reading of the Bill to annex a portion of the Seignior of Belair, County of Quebec, and another portion thereof to the County of Port Neuf. Ordered to be referred to Committee of the Whole on Monday.

#### CRIMINAL LAWS

**Sir John A. Macdonald** then introduced the Bills from the Commission appointed to assimilate the criminal laws of the various Provinces. He had adopted the principle of separate Bills rather than a code for various reasons, one obvious one being that in case any particular statute were materially altered it would be more convenient to repeal it *in toto* and re-enact it than make gaps in any code. Following the English system, therefore, they had been divided into separate Bills.

The following Bills were then introduced by **Sir John A. Macdonald**, and ordered for a second reading on Tuesday:—

Bill respecting the criminal law.  
 Bill for the better security of the Crown.  
 Bill respecting accessories to and abettors of indictable offences.  
 Bill respecting offences relating to the code.  
 Bill respecting forgery.  
 Bill respecting offences against the person.  
 Bill respecting malicious injuries to property.  
 Bill respecting larceny and other similar offences.  
 Bill respecting procedure in criminal cases.  
 Bill respecting the duties of Justices of the Peace out of sessions in regard to persons charged with indictable offences.  
 Bill to regulate the sale of poisons.

#### CURRENCY RESOLUTIONS

On motion of **Hon. Mr. Rose** the report of the Committee of the Whole on the currency resolutions was received and concurred in.

#### EXTRADITION TREATY

**Sir John A. Macdonald** moved the House into Committee on the Bill respecting the treaty between Her Majesty and the Government of the United States for the apprehension and surrender of certain offenders.

**Mr. Chamberlin** alluded to the many difficulties in the working out of the Extradition Treaty, and concluded by saying that he would propose an amendment to the third clause, proving that no notice issue for extradition till ten days after the committal by a magistrate.

**Sir John A. Macdonald** explained that the object of the Bill was to extend throughout the Dominion the Act of the late Parliament of Canada regarding extradition.

**Hon. Mr. Smith** objected to the Bill on the ground of jurisdiction.

**Col. Gray, Mr. Anglin, and Mr. Dunkin**, supported it.

**Mr. Harrison** stated that before the Ashburton Treaty was passed at all, an Act was passed on this subject by the Parliament of Canada, which was even more extensive than the Ashburton Treaty, and that Act continued in force notwithstanding the treaty. He agreed that the treaty should be extended so as to include larceny, bigamy, counterfeiting and rape.

The House then went into committee—**Mr. Stewart Campbell** in the Chair.

The Committee rose and reported the Bill with an amendment. Ordered for a third reading on Friday.

The House adjourned at half-past 11 o'clock.

## HOUSE OF COMMONS

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Thursday, April 2, 1868

The Speaker took the Chair at three o'clock.

### ST. HYACINTHE ELECTION

**Mr. Walsh**, from the General Committee of Elections, reported the following as a select committee to try the St. Hyacinthe election:—Messrs. Bechard, Burton, Chamberlin, D. A. McDonald, and Pozer, Chairman.

### YAMASKA ELECTION

**Mr. Casault** moved that the Yamaska Election Committee have leave to adjourn to the 16th instant. Carried.

### LEAVE OF ABSENCE

**Sir John A. Macdonald** moved that leave of absence for one fortnight, on urgent private business, be granted to L. McCallum, Esq., a member of this House. Carried.

### PENITENTIARIES

On motion of **Sir John A. Macdonald** the House went into Committee of the Whole, Mr. Cameron (Huron) in the Chair, on the Bill respecting penitentiaries and the directors thereof.

The first and second clauses were adopted.

**Sir John A. Macdonald**, in moving the third clause, stated that under the former Act there were five Prison Inspectors. This Bill provided for not more than three Directors, who would be in a great degree an administrative body, and at the same time perform all the duties of direction, consultation, and active supervision. One of these Directors would be a resident of the Maritime Provinces, and would have charge in Nova Scotia and New Brunswick without having to come to headquarters, except at certain periods, when the whole would meet for consultation.

**Hon. Mr. Dorion** suggested that it might be better to have but one Inspector; a superior man who would have an undivided responsibility.

**Sir John A. Macdonald** said with such an extent of country as we have it would be absolutely impossible for one man to do the duty of Director. Of course there would be an efficient man as Warden. If he and the Directors differed it would just be one opinion against another opinion. There was a great advantage in having a plurality of Directors for purposes of consultation.

**Mr. Mackenzie** thought there would be a risk of failure if only one man was appointed, unless he were a man of very superior attainments and judgment. He thought, however, two would be sufficient. If there were three, action would be taken in the vote of two against one. With two directors there would be the same guarantee for correct action, for both would have to agree. In a former debate on this Bill he had remarked on the desirability of the penitentiary being made more self-supporting. He found, on inquiring, that with regard to arrangements for contracting labour, the Warden had been entirely under the control of the Prison Inspectors; and that it would not be fair to blame him for any failure in this respect. It was a question whether it might not be advisable to give the Warden greater power in matters connected with the management of his own institution, either as a member of the Board to be created by this Bill, or on his own direct responsibility.

**Sir John A. Macdonald** said the Warden would give his advice, and all the benefit of his experience and assistance to the Directors; but to give him control of the contract for labour might expose him to charges of favouritism and collusion. The question whether there should be only two Directors, rather than three, was one worthy of consideration, and the Bill left the point discretionary.

The third clause was then adopted.

The fourth clause was then moved. It provided that two directors should be a quorum, and in case of difference of opinion at a meeting held in a Penitentiary in a matter referring to such Penitentiary, the Warden should decide between them.

**Hon Mr. Anglin** said that the Warden should not be clothed with such power.

**Sir John A. Macdonald** said the corresponding clause in the former Act had worked well. It enabled decisions to be arrived at in matters of urgency, when the whole Board could not be called together.

**Mr. D. A. McDonald** doubted the propriety of giving the Warden such power, and said his opinion in such a case ought, at least, to be given in writing.

The fourth clause was adopted, and also the succeeding clauses up to the ninth. On that clause being moved,

**Mr. Blake** objected to the Court of Inquiry appointed under it. They were here in fact organizing the directors as a Court of Criminal Jurisdiction but it was of limited jurisdiction. But still that was one of the things with which the Local Legislature had exclusive power to deal. He thought it would go better to leave this matter to them.

**Sir J. A. Macdonald** thought the suggestion a valuable one, and made a note of it in order to amend the Bill.

On the 29th clause,

**Sir J. A. Macdonald** drew attention to its provisions, which were that an incorrigible boy might be removed from the reformatories, which were local institutions, to the penitentiary, a general institution, on the warrant of the Lieut.-Governor. The converse of this proposition was also provided, viz., where a minor confined in the penitentiary showed such a disposition to reform as rendered it desirable to remove him from the contamination of confirmed criminals, that then he could be removed to a reformatory.

Clause 30 was adopted with the addition of Ascension Day to the list of Roman Catholic holidays.

#### After recess

**Hon. Mr. Holton** enquired whether the rumour that the Hon. Mr. Archibald had resigned his position in the Government, and whether the other rumour accompanying this one, that he had been appointed Chairman of the Intercolonial Railway Committee, were correct? He was prepared to believe the first one, because if it were not true, it certainly ought to be, but with respect to the second it would be somewhat extraordinary, for as yet there was no work for the Railway Commissioners to do. He was sure the Govern-

ment would be glad of the opportunity of giving an explanation on the important points.

**Hon. Sir John A. Macdonald** had no objection to give the information. It was true that Mr. Archibald had resigned, and now ceased to discharge the duties of the office which he had held—that of Provincial Secretary of State, but the other, no appointment had been made to the Board of Railway Commissioners.

#### PENITENTIARY BILL AGAIN

The House went into committee again on the Penitentiary Bill, and having considered the several clauses, amounting in all to 76, the committee rose and reported progress and obtained leave to sit again on Monday.

#### SECURITY TO BE GIVEN BY OFFICERS

On motion of **Sir J. A. Macdonald** the House went into committee on the Bill from the Senate respecting the security to be given by officers of Canada—Mr. Drew in the Chair.

The committee rose and reported the Bill with amendments. The report was received, the amendments read and concurred in, and the third reading of the Bill fixed for to-morrow.

#### INQUIRIES IN PUBLIC MATTERS

The House went into committee on motion of **Sir John A. Macdonald**, on the Bill from the Senate respecting inquiries into public matters—Mr. Stewart Campbell in the Chair.

The committee rose, the report was received, and the third reading fixed for to-morrow.

#### BILL RESPECTING THE BANKS

**Hon. Mr. Rose** moved that the House go into Committee on the Bill to enable Banks in any part of Canada to use notes of the Dominion instead of issuing notes of their own, and the resolution in relation to privileges granted to Banks of the 27th inst. be referred. In moving this motion, he explained that he proposed to strike out the words "thirteen millions of dollars" in his Bill, and substitute "eight millions of dollars". Since this matter was last before the House, he had looked into the statement as the amount which the late Government of Canada was authorized to issue of their bills, and was now quite prepared to accept the interpreta-



tion put on that Act by gentlemen opposite, and accept the lesser sum of \$8,000,000. (Hear, hear, and applause from the opposition benches).

The House then went into Committee—Col. Gray in the Chair.

The first clause was read, providing that the Governor-in-Council might enter into an arrangement with any of the chartered banks in the Dominion for the surrender, on or before June 1st, 1870, of their power to issue notes, and that in compensation for such surrender an annual sum should be paid, not exceeding 5 per cent upon the amount of its circulation, as established with respect to any bank in the Provinces of Quebec or Ontario, by the monthly returns on April 30th, 1866, etc., etc.

**Hon. Mr. Holton** rose and asked the Minister of Finance in what position the Banks of Ontario and Quebec would find themselves in the event of this Bill becoming law. In consequence of the agreement made by Mr. Howland with the Bank of Montreal in 1866, that the Bank of Montreal should be the sole agent for the issue of the Provincial notes, the Government was bound to give the bank six months' notice if they desired to terminate the agreement. So that, in fact, although this Bill became law on the 15th April next, it would remain practically a dead letter for six months from that date, unless the Bank of Montreal, in its great benevolence, consented to allow the Government to enter into an agreement with the other banks.

**Hon. Mr. Rose** replied that the former agreement would not be disturbed by this Act.

**Hon. Mr. Holton** asked if on the passage of this measure the Government would be in a position forthwith to enter into negotiations with any other bank, for the surrender of its circulation, without the consent of the Bank of Montreal.

**Hon. Mr. Rose** replied that, obviously, it would be wrong to interfere, by this Bill, with existing arrangements.

**Hon. Mr. Holton**—Then the House is here placed in a most absurd position. The hands of the Government have been deliberately tied by a predecessor of the Finance Minister. The hands of the Legislature are at this moment tied by that agreement, and yet the Government ask the House to pass a Bill, the operation of which could be postponed by the Bank of Montreal, as admitted by the Fi-

nance Minister, for a period of six months. It was trifling with the House to ask them to pass a Bill which, so far as banks other than the Bank of Montreal were concerned, could not be put into operation for six months. He blamed the Government for having entered into such an arrangement with the Bank of Montreal.

**Hon. Mr. Rose** repeated that this Bill was not intended to affect one way or the other any former agreement, such as that alluded to.

**Hon. Mr. Holton** asked, under the circumstances, what was the use of passing a measure which in this respect could not be carried into effect.

**Hon. Mr. Galt** said that an agreement having been entered into with the Bank of Montreal based on the surrender of their circulation, faith ought to be kept with that institution.

**Hon. J. S. Macdonald** said it was no use pressing the Finance Minister further on the point. That honourable gentleman no doubt had his own way of getting out of the difficulty, but did not choose to indicate it at that stage.

**Mr. Blake** maintained that if the first clause passed as it stood, the obligation to the Bank of Montreal would be wiped away by the Legislature. If the agreement were binding, and it were the duty of the Government to regulate it, then the observations of the member for Sherbrooke were correct, that the Act ought to be shaped as to protect the Bank of Montreal.

**Hon. Mr. Rose**, in response to the member for Chateauguay, said that he had given the only reasonable answer which could be given, that the Government would exercise the power the clause professed to give them, in such a way as they judge to be consistent with existing obligations and good faith.

**Hon. Mr. Galt** called attention to the 5th clause of the Bill, which he thought was intended to give effect to any agreement under the old Act.

**Dr. Parker** said it seemed to him that if the 5th clause were left out the 1st clause would repeal the arrangement with the Bank of Montreal.

**Hon. Mr. Holton** again insisted that the Government should state whether they intended to put themselves in a position at the

earliest moment to treat with other banks which might desire to come under this Bill.

**Hon. Mr. Rose** said if the Government found there was a desire on the part of any of the banks to come under this Bill, every facility consistent with existing obligations would be given them to do so.

**Hon. Mr. Holton**—But, will you give at once the six months' notice of the expiration of the arrangement with the Bank of Montreal?

**Hon. Mr. Rose**—I cannot do so till this Bill passes.

The clause under discussion was then agreed to, and several subsequent clauses.

**Mr. Morris** moved an amendment to require each bank to furnish, in addition to the statements now required, a statement distinguishing the amounts of deposits bearing interest, and not bearing interest in each Province, also of the aggregate amount of notes and bills held under discount by each bank in each Province.

**Hon. Mr. Rose** said he saw no objection to the amendment; but he would like to consult the officers of the banks as to the form, in which it should be put and would like it to stand over till the third reading.

**Hon. Mr. Galt** said he thought the Finance Minister had failed to appreciate the effect of the amendment when he assented to it so readily. It would be most unreasonable to require the banks to subdivide their assets and liabilities in the way proposed, in order to give a return which in no way affected the great question of their liability to the public.

**Mr. Morris**, in reply to the ex-Finance Minister, contended that the information he sought was important, and that it could cause the banks no inconvenience to require them to furnish it.

**Mr. Gibbs** and **Hon. Mr. Holton** supported the amendment.

**Hon. Mr. Dunkin** thought it was not germane to this Bill.

**Hon. Mr. Holton** wished to know whether the member for Sherbrooke and the member for Brome had resolved to oppose the Government on this question, the Minister of Finance having accepted the amendment as regarded the spirit of it, and which he (Mr. Holton) was happy to assist the Government in accepting.

[Mr. Holton (Chateauguay).]

**Hon. Mr. Galt** said he did intend to oppose the Government on this clause, and he thought they must distrust the wisdom of their course in accepting it when they found themselves supported by the member for Chateauguay. He could not see what public interest was to be served by requiring a bank to state what amount of notes they discounted in Ontario, and what amount in Quebec.

**Mr. Mackenzie** hoped the Finance Minister would persist in the course he had intimated of accepting the amendment of the member for Lanark, although he was afraid the influence of the member for Sherbrooke and the Bank of Montreal would be too strong to allow him to do so.

**Mr. Pope** opposed the amendment. He did not think this prying into the affairs of banks was necessary for the protection of public interests.

**Mr. Morris** asked the Finance Minister if he still adhered to what he had stated a little ago.

**Hon. Mr. Rose** said every reasonable information required for the public interest should be given by the banks, and he desired his honourable friend to let the amendment stand over in order to arrange the terms in which it should be expressed.

**Mr. Gibbs** said he presumed if banks themselves did not object to giving this information the Finance Minister would not. He (Mr. Gibbs) was satisfied there was not a bank, except one, which would object, and he considered it was clearly for the interest of the public that the information should be given.

The amendment was then allowed to stand over.

The 8th clause having been read, some amendments were made on it by the Finance Minister so as to state that the whole amount authorized by the Act of the Province of Canada to be issued was eight millions, and not thirteen millions of dollars, as at first stated in the Bill.

**Hon. Mr. Holton** asked what amount of eight millions was available for arrangements with banks other than the Bank of Montreal.

**Hon. Mr. Rose** said he believed four and a half millions had already been issued, and three and a half remained available.

**Hon. Mr. Anglin** moved an amendment to the 8th clause, to strike out the words "and at

that one of the said places at which they may be respectively made payable," so that the notes should be redeemable at whatever branch presented.

**Hon. Mr. Holton** suggested that as the House was thin, and the question a very important one, the amendment should be only moved now *pro forma*, and the discussion taken on the reception of the report, when the Speaker was in the Chair. The question was one on both sides of which something might be said. His own impression was that Mr. Galt had made a mistake in appointing two places of redemption, if it was good policy to redeem at all; but if the notes were to be redeemed in gold, he was inclined to think there should be one place of issue and one place of redemption.

**Hon. Mr. Anglin** accepted the suggestion.

The Bill was reported with amendments—the report to be received to-morrow.

The House adjourned at 12 o'clock.

### NOTICES

**Mr. Brousseau**, Monday, Bill to amend cap. 63 Consolidated Statutes of Lower Canada, in so far as relates to the measurement and loading of coal.

**Hon. Mr. Rose**, Monday. That a Select Committee be named to consider the subject of Banking and Currency of the Dominion, to report thereon from time to time, with power to send for persons, papers and records.

**Mr. Gibbs**, Monday. Address for a return showing the amount of securities of all description issued by the Dominion since the 1st of July last, the rate of interest, the same bear the nature of the securities, the terms and conditions on which issued, and when and by whom, amount and number of tenders below par, ditto at par, amount accepted and at what rate, and number of allottees and charges paid in respect of the negotiations of such loans, whether for commission or brokerage.

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## HOUSE OF COMMONS

Friday, April 3, 1868

The Speaker took the Chair at three o'clock.

### ELECTION PETITIONS

The General Committee on Privileges and Elections reported that the following members had been chosen to serve upon the Select Committee for trial of the Argenteuil election petition, viz., Messrs. Cartwright, Daoust, Colby, Ault, and Webb, Chairman; and that they had appointed the following days for trial of the undermentioned election petitions, viz., Montreal East, 15th April; Berthier, 16th April; Vercheres, 20th April; and Hochelaga, 21st April.

The following members were then sworn at the table to serve upon the St. Hyacinthe Election Select Committee, viz., Messrs. Bechard, D. A. McDonald, Barton, Chamberlin, and Pozer, Chairman.

Upon the motion of Mr. Walsh, it was resolved that the House do adjourn at six to half-past seven this evening, to enable the St. Hyacinthe Select Committee to sit during the interval.

### STEAMBOAT INSPECTION, ETC.

Sir J. A. Macdonald introduced a Bill respecting the inspection of steamboats and the increased protection to passengers therein, which was read a first time, and the second reading fixed for Monday.

### CIVIL SERVICE

Hon. Mr. Rose moved that on Tuesday the House go into Committee of the Whole to consider resolutions relative to the Civil Service.  
—Carried.

### EXTRADITION TREATY

On motion of Sir John A. Macdonald, the Bill respecting the Extradition Treaty with the United States was read a third time.

Mr. Chamberlin moved an amendment to allow a delay of seven days within which a prisoner might appeal to the Judges of the

Supreme Court before being extradited on a commitment by a Magistrate. This, he said, would prevent the recurrence of what had happened in the Lamirande case.

Sir John A. Macdonald said that after further consideration, since the matter was formally before the House, he had decided not to oppose the amendment.

The amendment was agreed to, and the Bill then passed.

### THIRD READINGS

On motion of Sir John A. Macdonald, the following Bills were also read a third time and passed:—

Bill respecting the security to be given by officers of Canada.

Bill respecting inquiries concerning public matters.

### COMMISSIONS AND OATHS OF OFFICE

On motion of Sir J. A. Macdonald, the House went into Committee on the Bill respecting Commissions and Oaths of Office—Mr. D. A. McDonald in the Chair.

Sir J. A. Macdonald said he proposed to amend the form of Oath of Allegiance given in the Bill, by striking out the words "I hereby renounce all pardons and dispensations, etc." which words, he considered, implied an unworthy suspicion on Her Majesty's Roman Catholic subjects.

Hon. Mr. McGee expressed his great satisfaction that these words, which had now no force, should be omitted.

Hon. Mr. Anglin said he had intimated to the Minister of Justice his intention of moving this amendment, and was happy he had anticipated him.

Hon. Mr. Dunkin and Mr. Blake expressed the opinion that it would be better to adopt the short form of Oath of Allegiance given in the Union Act, as follows: "I, A.B., do swear that I will be faithful and bear true allegiance to Her Majesty, Queen Victoria."

Sir J. A. Macdonald said he would postpone the Bill with the view of consideration this suggestion.

Mr. Rymal said he knew certain people who had been charged with taking vows upon themselves which they did not intend to perform. (Hear, hear).

The Committee then rose and reported progress.

#### DEPARTMENTAL ORGANIZATION

Sir John A. Macdonald then moved the second reading of the Bill for the organization of the Department of Marine and Fisheries on which a debate arose on the general question of Departmental organization.

Sir John A. Macdonald, to show the importance of this Department, read from the Bill the list of matters falling within its province, and also a communication from Hon. Mr. Mitchell, narrating with a good deal of minuteness the multifarious duties devolving on him. He then stated that in connection with this Bill it might be well to have the general discussion as the number of Departments and duties assigned to them. (Hear, hear). The first step, of course, to having an efficient administration of public affairs was to have an organization of departments under responsible heads, these heads being members of the Privy Council and advisers of the Crown, with respect not only to their own department but to the conduct of affairs generally. Before the Union the affairs of the old Province of Canada were administered by a Cabinet, the number of which had come to be nearly settled, as far as practice could settle it, at twelve members. At the Union, new elements were introduced, two large and important Provinces, having distinct governments and parliaments, were absorbed into the Union. At the formation of a new Government the first question which had to be considered, and which he primarily had to consider, having had the honour to be entrusted with the formation of the first Ministry, was as to how to form an administration on principles the best calculated to work out the Union Act. In the first place, it seemed necessary that all the Provinces which composed the Union should be adequately represented in the Government. The first thing to be guarded against was the raising of sectional jealousies, and he felt that no one individual whatever might be his ability, his position, his standing in his own Province, could be held to be a sufficient representation of that Province. It was a great support to a man, and gave him a feeling of assurance that he was right, when

he could consult with and receive the concurrence of others in whom he had confidence, who represented the same interests; and no one man leaving his own house in the Maritime Provinces and coming to Ottawa, far away from those with whom he had been accustomed to act, but must feel himself at a loss if left to act for his own Province without the countenance and support of any one else. It was, therefore, felt that in the formation of a new Government, New Brunswick and Nova Scotia could not be represented in the Cabinet by less than two for each. He admitted that under the constitution there was no special necessity for sectional representation in the Cabinet of the Dominion. In the old Province of Canada, there was *ex necessitate* a dual representation in the Cabinet, each Province having an equal number of representatives; but after the Union that necessity disappeared, the sectional rights and privileges of each Province being protected by its own Local Government and Parliament. As in the Imperial Cabinet, all, so far as the constitution was concerned, might be Englishmen, Irishmen or Scotchmen, so in the Dominion Cabinet, all might be from one Province. The only thing necessary was that the Cabinet, wherever its members came from, should enjoy the confidence of a majority of the representatives of the people in Parliament; but as a matter of practical arrangement in this country as in England, in order to obtain that confidence it was absolutely necessary that all the great sections of the country should be represented in the Cabinet. In looking over the lists since 1800, it would be seen that in the Cabinet of Great Britain there had always been representatives of England, Ireland, and Scotland. The reason was that the people of each section could not expect their interests to be sufficiently attended to unless they had representatives in Government as well as in Parliament. It had been deemed necessary, therefore, that there should be a full and fair representation of every Province in the Cabinet. Each of the Maritime Provinces having received representatives, the least that could be given to Quebec, with a due regard to population, was four, while the least that could be given to Ontario, the largest Province of the Confederation was five. And there was another reason for giving this number to Upper Canada. That Province had been divided into two political hostile parties, which had been struggling against each other for many years. Confederation was carried by a

junction of the political leaders and political parties whose antecedents had been opposed to each other, and it was felt to be desirable that the two parties which had joined to bring about the Union should be represented in the Cabinet formed at its inauguration. The Cabinet thus came to comprise thirteen members. Sir John proceeded to discuss the question whether it would have been desirable to have some of the members of the Cabinet merely consultative members without portfolios. He contended that this would have been against the well established practice of both Canada and England, unless in such exceptional cases as those of the Marquis of Lansdowne and the Duke of Wellington, whose experience made it desirable to have them in the Cabinet, while the respect due to their age relieved them from being entrusted with active administrative affairs as heads of departments. Another recent example of this was not considered satisfactory by the British people, and every one was pleased when Mr. Walpole, on the formation of the Disraeli administration the other day, was relieved of the anomalous position of being a member of the Cabinet without portfolio. There was another reason why a correct principle of representation in the Cabinet should be laid down at the inauguration of the Dominion. There was every prospect that at no distant day its area would be increased, and it was desirable therefore that the Cabinet should be established on a large and sufficient basis, that would not require to be altered, extended, or changed, with every addition to our area, size, and importance. It had not been felt in the old Province of Canada that the Cabinet was at all too large, and of all the departments in that Cabinet there was only one not required for the due administration of the affairs of the Dominion. He alluded to the Crown Lands Department. There might also be a reduction in the law department. The Solicitors-General had scarcely in any sense portfolios, except in conjunction with the Attorneys-General, the professional chiefs. It was believed that the interests of the Dominion did not require more than one legal member in the Cabinet. Sir John proceeded to enumerate the actual departments in the Cabinet and to argue for the necessity of each. He had already spoken of the department of the fisheries, the organization of which was the object of the present Bill. As regarded the department of the Minister of Justice, he presumed it would be admitted that some legal officer must be a member of

the Cabinet and Attorney-General, holding the same power with reference to the Dominion and its affairs as the Attorney-General in England, having responsibilities for legal appointments, the general state of the law, its amelioration where necessary and its due administration. It was therefore provided that a Minister of Justice should be appointed, and that he should hold his commission as Attorney-General as well. He thought it would be admitted, if not before his honourable colleague introduced the Militia Bill the other day, at least after that Bill was introduced, that the Militia and the organization for defence, fortifications, etc., required a Minister of Militia. Of course, there must be a Minister of Finance. Then as regarded that department it must be obvious to every one that it had greatly outgrown the dimensions which could be managed by one man. It had become necessary to sub-divide it. The Minister of Finance must, of necessity, be employed with the general questions connected with the Revenue and Expenditure, and he thought his honourable friend who now ably filled that office would succeed in convincing the House, if he had not already done so, that all his time and more if he had it to spare, would be occupied in attending to this branch of the Public Administration. Sir John A. Macdonald went on to contend that in England there was virtually a Treasury Board presided over by the Chancellor of the Exchequer, and including the Financial Secretaries of each of the other departments which had to do with the raising or expenditure of money, and argued that it was a great advantage to have a similar board here, comprising the Receiver General, Minister of Customs, Minister of Inland Revenue, and Minister of Finance at its head. He argued also that the subdivision of labour brought about by the creation of distinct Customs and Excise Departments formerly included in the Financial Department, was an important advantage. The Finance Minister, he said, would have the responsibility of initiating the policy of each of these departments, while to the Ministers of Customs and Inland Revenue would belong the responsibility of administration. The whole Treasury Board at the same time, would form a consultative body; and there would be this advantage, that when they recommended as a combined body any policy or course of action, the other members of the Cabinet, from the confidence they could place in such a board, would be less under the necessity of studying

up the subject each for himself than if the recommendation came merely on the responsibility of an individual Minister. Referring to an expression of dissent by the member for Chateauguay, he said he had no doubt that that honourable member would some day—how soon he (Sir John) did not know and did not wish to anticipate the time—would some day again hold the office of Finance Minister, and he ventured to say he would then bless his stars that his predecessors in office had introduced such a complete subdivision of labour in that department.

**Hon. Mr. Holton** said if he had expressed a doubt, it was not to the value of subdivision of labour, but as to the efficiency of the Treasury Board.

**Sir John A. Macdonald** proceeded to say that he supposed he would not be required to show the necessity of the office of Post Master General, or Minister of Public Works, or Secretary of State. The Bill as to the last of these departments had already received the sanction of the House.

**Hon. Mr. Holton** said by the Bill now before the House it was proposed to strip the Minister of Public Works of a number of his duties, as he had already been deprived of the charge of the Intercolonial Railway.

**Sir John A. Macdonald** said all the public works of Canada with regard to their construction, maintenance and repair, with the public buildings and canals, and railways belonging to the Dominion, were still under the control of the Minister of Public Works. Some expressions in this Bill entrusting the Minister of Fisheries with repair, maintenance, etc., of light houses, etc., were a mistake, and would be altered. He then referred to the Department of Secretary of State for the Provinces, and argued, as on former occasions, for its necessity on account of the number and importance of the communications that must necessarily pass between the Local and Dominion Governments. The Secretary of State having, in addition to his former duties, charge of the Indian Department and ordnance lands, could not well undertake the charge of that correspondence.

**Hon. Mr. Holton**—The Secretary of State found time to be away at Quebec six weeks legislating.

**Sir John A. Macdonald** said he had earned that spare time well, by the assiduity with which he had applied himself to his duties

[Sir J. A. Macdonald (Kingston).]

here. He proceeded to state that Mr. Archibald, as a representative of Nova Scotia in the Cabinet had been appointed Secretary of State for the Provinces. Every one would admit that gentleman's standing and capacity for the difficult duties entrusted to him. He failed, however, to secure a seat in this House, and at once tendered his resignation, which was accepted, but he was at the same time requested to retain his portfolio till a successor should be appointed. Considering the position which Nova Scotia as a whole had assumed, he (Sir John) could not well ask the assistance of his honourable friends opposite from that Province to fill Mr. Archibald's place. At the same time, the other representative from Nova Scotia, Mr. Kenny, although a gentleman of high position in his own Province, having presided over the upper branch of its Legislature, had never before been a member of the Executive, and it was necessary that he should be able to consult with some other representative of his Province, such as Mr. Archibald. That gentleman had therefore kindly but reluctantly consented to remain. He had found his position irksome, however, and had again asked to be relieved, and the duties were now performed by the Secretary of State. He (Sir John) thought, however, that the office was one that was absolutely necessary, and that it would continue to grow in importance. It was also a duty of the Government to legislate on the subject of immigration and the interests of agriculture. There should be inter-communication then between the Dominion and the Provinces on these two subjects, and he hoped and believed that the general and local governments would be in accord always on the necessity of improving and advancing the interests of agriculture and immigration. These duties having been thrown on the General Government had to be confided to some minister, and a minister was accordingly appointed with similar duties to those entrusted to the same office in the old Province of Canada, and as in that instance the duties of the minister were not confined to these two subjects, so here it would be proposed in a measure yet to be submitted to the House that other subjects of great importance should be confided to that department; such as the patent laws, those relating to copyrights, statistics, and others of such a miscellaneous nature that they could not be well classified. There was another office which had existed in all the Provinces—the President of the Council—since the lamented death of Mr.



Blair, that office had not been filled up. He did not think it desirable that the office should be abolished; but as the number necessary for the Cabinet, and the distribution of its labours was in a great degree experimental—as there was a general feeling, perhaps, that the offices of the country should be administered by a small number of officers, it was not the intention of the Government at present to fill up that office. (Hear, hear.) At the same time, he wished it to be distinctly understood that he did not enter into any engagement that this office should be abolished. For his own belief was that there ought to be a numerous Council, and that, following the example of England, they ought to have in that Council an officer having no special duty to perform; a man who would be always at the disposal of His Excellency for any special duties, or to take part in any matter of importance assigned to him. In England it had always been so. It was considered necessary to the operation of their system that there should be such an officer, or officers; and hence they had the President of the Council—the Lord Privy Seal—Chancellor of the Duchy of Lancaster, and several offices of that kind, the duties of which were not so onerous as to compel them to devote their whole attention to their appointments, but left them free to lend their aid on any subjects of great interest; and as an instance of such a subject in Canada he would allude to the acquisition of the great North-West. The necessity of negotiations and steps to be taken in this direction belonged to no one particular department. Fortunately for the Government they had in their Minister of Public Works a gentleman who, though fully employed in his own department, had made this subject his study, was at home in it, and could, without serious obstruction to the performance of his other duties, undertake that also, and do so with credit. The honourable gentleman then read a passage from a work still in MS, to show that men like Sir Charles Wood, Sir James Graham, and Lord John Russell—men all justly celebrated as administrators, were of opinion that it would be a mistake if a Cabinet were wholly composed of those members who had departments of such over-burdening work as to employ all their time. In such a matter his (Sir John's) opinion was that there should be no false economy—that for the sake of saving the salary of two or three Cabinet Ministers, there should be no withholding from the country the full benefit of the system of the General Government. He admitted that to a

great extent their present system was on its trial, and therefore, as he had stated, in relation to the office of President of the Council, the Government would not fill it up, but would see whether the Secretary of State, in addition to his other duties, could also perform it satisfactorily. At present, in commencing their new system, the chief object, it seemed to him, was to have such a large full Cabinet as would secure a proper representation from all parts of the Dominion. By and by, when they were a more homogeneous people, every portion of the country might be satisfied with the representation of the Cabinet—even although sectional interests were not closely regarded. But at present it would be a great mistake to commence by a reduction of the representation in the Cabinet. Take British Columbia for a case in point. When that colony came into the Union, would they be satisfied with their representation if only one man were in the Cabinet from that section. They would not, even although their population or resources entitled them to no greater representation. Setting aside altogether the question of expense, as one of no interest in comparison with the general question, it was, first of all and above all, the duty of every lover of the Union to see that no false economy was exercised; that there should be a full and complete system of administration, which would ensure every portion of the Dominion a fair representation in the Cabinet.

**Mr. Mackenzie** did not understand the honourable gentleman to say that the Government would fill up the office of Mr. Archibald.

**Sir John A. Macdonald**—No; not at present. We intend to try the new arrangement.

**Mr. Mackenzie**—I suppose the trial will probably last till Parliament rises. (Laughter).  
The House rose at six o'clock.

**After recess,**

#### ST. HYACINTHE ELECTION

On motion of **Mr. Jones** the Select Committee on the St. Hyacinthe election were permitted to adjourn till the 16th inst., and the House adjourned for five minutes to enable them to do so.

#### NIAGARA GAS CO.

**Mr. Street** introduced a Bill to enable the Niagara Falls Gas Co. to light the Town of

Clifton by conveying the Gas from the American side of the Niagara, from Suspension Bridge to the town.

#### A QUESTION OF ORDER

**Hon. John Sandfield McDonald** called the attention of the House to the fact that there had been an innovation in the practice of the House. Routine business had been commenced with since the recess, whereas he defied any one to cite an instance wherein, the absence of two distinct sittings of the House, the routine proceedings were gone on with.

**Sir John A. Macdonald** said this was in reality a new sitting, and the course just sanctioned by the House in the matter of the St. Hyacinthe election committee was a frequent one. Besides it was merely a question of notice, and in a matter like this to which there was no opposition he did not see any objection.

The subject dropped after a brief discussion.

#### DEPARTMENTAL ORGANIZATION

The debate on **Sir John's Departmental Bill** was then resumed.

**Hon. Mr. Dorion** agreed with the Minister of Justice that it was wise to represent at the outset at all events the civil sections of the Dominion in the Cabinet, instead of taking all the members from any one section. But it would be observed that while the Government contend there should be 13 representatives of the Dominion in the Cabinet, so many from each section, two from Nova Scotia, two from New Brunswick, four from Quebec and five from Ontario, yet at once one of those officers which was said to be indispensable was dispensed with—Nova Scotia was left with one representative. Again, Ontario was to have five, but they had not that number. She was left with four. With what propriety could these two Provinces be deprived of what was held to be their just representation? For his part he believed the representation was altogether too large. In the neighbouring Republic with a vaster population, greater area of country and more diverse interests, there were but seven departments. In England, they had but one Finance Minister, and in all fifteen heads of departments. How was it that this new Dominion must, at the outset, be burdened to a greater extent than older and more populous countries? He contended that the whole

[Mr. Street (Welland).]

financial administration of the country was conducted by the Finance Minister, and as to the Receiver-General and Minister of Excise, they were merely executive officers. It had always been found to be so in the late Province of Canada; and were not only unnecessary, but entailed much additional expense on the country, in consequence of the staff necessary to be kept up in each of these offices. Then as to the office of Secretary of State for the Provinces he would like to know what such a functionary would have to do, what correspondence had he to conduct? It was only the other day, on moving an address for correspondence, the honourable gentleman was told there was no correspondence between the Local and General Government of interest.

**Sir John A. Macdonald**—On that particular point.

**Hon. Mr. Dorion** could not see what correspondence the Secretary of State could find to employ himself with. There was really nothing for him to do even under the old Parliament of Canada. The Provincial Secretary was admittedly the officer who had least to do of all the departments—so little work indeed fell to his share that his duties had to be eked out by giving him some other work to keep him going. There was not work before for the Provincial Secretary, and there certainly had not been shown to be any need for perpetuating the useless office in the person of a Secretary of State. Again, there was the Department of Agriculture. Almost the whole bulk of the work of such a department came within the scope of the Local Governments' management; and yet, now that that office was confessedly unnecessary, it was not only to be continued, but it became magnified into a most important office. As to the head of the Immigration Department, that office also might very well have been spared, and its duties allocated to the Secretary's or some other department. The President of the Council was another useless officer; his duties were partially discharged by the Clerk of the House, and the balance of them might very well be discharged by the President of the Senate; or, if more convenient, by any other member of the Cabinet. Therefore, he (Mr. Dorion) found that of the 13 heads of departments at least six could be well dispensed with. Among the latter he forgot to mention that new office, the Minister of Marine and Fisheries. Would the Minister of Militia allow his confrere to take charge of the military gunboats of the Dominion? Certainly not, and

if not, he (Mr. Dorion) was at a loss to know what the unfortunate Minister of Marine would do. That famous Minister of Militia who had recently noticed that he had had charge of nearly every department, and had accomplished his work well, would not, it might readily be inferred, allow this branch of his duties to be filched from him. (Laughter). Again, the Minister of Marine had jurisdiction over all wharves, harbours, etc. but these belonged to the Minister of Public Works. Where was the line to be drawn? How could the conflict of authority be settled? The only way he (Mr. Dorion) could account for the division of offices and work was that it was made to suit honourable gentlemen opposite, so as to give each of these thirteen Cabinet Ministers a show of something to do, and that it was not planned with any idea to convenience the public. He could not understand this departmental system in the least. To revert to the President of the Council, here was an office allowed to lapse while admittedly a necessity. Then, also an office which was more than ever a necessity, inasmuch as it left the only discontented section of the Dominion, Nova Scotia, without that due representation in the Cabinet to which it had been declared entitled. He would, at this stage, proceed for a moment to examine where this system of a set representation of so many ministers from each section would lead to. It would lead necessarily to having two ministers from Prince Edward Island, two from Newfoundland and two from the North-West. This would give 19 ministers. Then there was the other new Province knocking at the door for admission into the Union, British Columbia. That would need two more, making in all 21 representatives in the Cabinet when there would be a union of all the British North American Colonies. Here the absurdity of the principle laid down by the leader of the Government was apparent, and he (Mr. Dorion) hoped they would not persist in the proposition.

**Hon. Mr. Cartier** said that the House must have listened to the honourable member for Hochelaga, if not with surprise, at least with pain. The honourable member, the leader of Lower Canada democracy, objected to the unfortunate number of thirteen. Perhaps he would recommend seven, the number of the Cardinal sins. (Much laughter) (**Hon. T. W. Anglin**—and the gifts of the Holy Ghost.) He had never, in that wicked House, expected to hear anything holy spoken of. (Renewed laughter.) He was himself aston-

ished at the new democratic application of the doctrine that power should be oligarchically confined. Their duty had been to harmonize the varying interests of all sections of the country, and to lay each of them fully before His Excellency, the Governor-General. The number thirteen, however, had not been adopted absolutely or finally, and was to be held liable to modification by successive Ministries. Referring to the Constitution of the Cabinet he showed that while his Province had yielded cheerfully to the claims of Ontario, she had not exacted the same deference from the Lower Provinces, and he was glad to take that opportunity of acknowledging, in this respect, the liberal generosity of the representatives and the people of Lower Canada. But it was impossible that Quebec could be adequately represented by a lesser number than four, while it was very difficult that the various Ontario parties could have less than five among them. There were one million of Frenchmen in Quebec, and he asked if three out of thirteen was an excessive Cabinet proportion for such a number. Then the 250,000 or 300,000 of English descent must also be considered, for no Government could possibly stand which failed in the confidence of that Community. (Hear, hear.) It might be thought that Nova Scotia and New Brunswick got more than their share in the originally adopted distribution, but it must be recollected that they had been independent provinces, and the count of heads must not always be permitted to outweigh every other consideration. Referring to the histories of previous Canadian Governments, he stated that the principle of British Administration was based upon the diffusion of power as far as possible, and denied that there was any analogy in the comparison sought to be drawn between American institutions and our own. The President of the United States was independent of Congress, except when they impeached him, (laughter,) and the Secretaries of State were not responsible Ministers, bound to bring into harmony the legislative and executive authorities, but merely chief clerks in their respective departments. He hoped that the honourable member would reflect before he again went to the United States for examples of administrative excellence, even on the suggestion of his colleague from Chateauguay, remembering that the legislative powers had there grown into a despotism, and not forgetting the existing unseemly squabble regarding the occupancy of the Secretaryship of War. The number of Ministers had never been definitely

settled. They had advised His Excellency to the formation of certain Departments. (**Mr. Mackenzie**—That is the Ministers who had been appointed advised the Governor, after being sworn, to their previous appointment. (Laughter.) The honourable member quite misunderstood the operation (much laughter). On the first of July everything administrative was dead, or nearly dying (renewed laughter). The Governor found himself without advisers, and summoned them to his Privy Council, and the Privy Council had advised him to the creation of the Departments, and the country had ratified their advice when they had carried the elections (cheers and laughter). The number they had recommended could scarcely be thought excessive when they recollected that the old Province of Canada had been administered by only one less. He went on to defend the Departments to which Mr. Dorion had objected, asking how it had happened that when that honourable gentleman was himself in power, he had made the very same appointments. Reverting to the supposed large number of Executive Councillors he compared it with that of Ontario with but one Chamber, which was five, of Quebec seven, and of each of the Lower Provinces nine, to their very small number of legislators, and denied that the admission of the outside Provinces would necessitate the augmentation hinted at. The whole question simply resolved itself into this, that their obligation had been to secure representation before His Excellency of all the varying interests of each section of the people, and so carry out the true principles of British Government.

**Mr. Mackenzie** recognized the expediency and wisdom of discussing the question before the House, not merely with a view to party interests, but a view to the future of their national legislative existence, but while doing so, it became absolutely necessary to discuss, as the member for Hochelaga did, the amount of legislation of a departmental kind which was expected to be disposed of by Ministers. The Minister of Militia, in the course of a very rambling address, sought to establish an argument by a reference to the number constituting the Government of the late Province of Canada. That Government commenced with eight members. The number varied occasionally, but ultimately reached twelve, and remained stationary at that number till the end of its existence. As to the honourable member's statement that the famous Draper Government remained in power two years

[Mr. Cartier (Montreal East).]

with only three members, the honourable gentleman was mistaken. That Government came to an end in one year and was reconstituted, when it consisted of six or seven members. Another state of affairs under such a Ministry could not of course be spoken of as constituting a Government for any purpose whatever. Honourable gentlemen opposite argued that it was necessary the feelings of the country should be always represented in the Cabinet. Well, his (Mr. Mackenzie's) opinion was that it was an executive body, possessing the confidence of the House, but not supposed to represent the people except in that manner, and if it was claimed that the Cabinet should represent all sections of the people, then the present Government was a most unfortunate one, for a very important section of the people were entirely misrepresented in it. There was one whole Province of the Confederacy which had a solitary representative in the Government. She had failed to send a single member to represent her in the House; for though there might be members from that Province, men who sincerely desired to promote the Union and assist the Government, still they were said not to represent the feelings and interests of their people. The Cabinet, he understood, it was merely carrying on the business of the country with the consent of the House, and if that Cabinet was unnecessarily large, let honourable gentlemen mark what would be the result. The honourable Minister of Justice proposed in his speech that when the other Colonies came into the Union, there should be additional members added to the Cabinet. True, the Minister of Militia did put in a caveat to that position.

**Sir J. A. Macdonald**—I spoke of British Columbia.

**Mr. Mackenzie**—Surely the honourable gentleman does not pretend to say that the justice he would concede to British Columbia would be refused to Newfoundland. This argument led inevitably to the conclusion that every colony would be represented. Well, putting aside altogether the question of the inconvenience of multiplying departments, assuming there would be no such inconvenience how would Ministers in that House be affected? It was all very well to say no members would be affected to any appreciable extent by dangling the bait of office before their eyes. But he had known such things to happen. He had known honourable gentlemen to forsake their own colleagues

and take office with those to whom they had been politically opposed for this reason. (Hear, hear, and cries of names). It is human nature that honourable gentlemen should be attracted by the honour of obtaining a seat in the Government of the country. It was an honourable ambition, and no one who sought honestly to obtain it ought to be blamed. Where there was a strong Government there was always a great temptation to conciliate that Government for the sake of obtaining position. This was inevitable, and if the policy of honourable gentlemen opposite were carried out, there would be just such a prospect as he alluded to before the House. The admission of every British colony on the continent into the Confederacy would, he hoped, take place before long. Before he left Parliament he trusted to see all these colonies obtain a representation in that Chamber, and if that occurred they must look to seeing the number of Cabinet Ministers increased, as indicated by the member for Hochelaga. That being the case, it is easy to foresee what ministerial influence might effect. If they extended the power of the Executive in that House, they extended an authority which they must presume to be dangerous to the liberties of the people. (Hear, hear).

**Sir J. A. Macdonald**—(Hear, hear).

**Mr. Mackenzie** appreciated that "hear, hear." It means to say that in a country governed such as this there was no serious danger of the liberties of the people; but he would recall for the benefit of the House a statement of the Minister of Public Works on this point, who expressed his conviction that even in railway matters the legislation of such a Government was highly dangerous to the civil and religious liberties of the people. So much would suffice with regard to the tendency of increasing the Executive power in Parliament. The Minister of Militia, in the course of his wandering, stated that there was no analogy between the United States system of government and that of the Dominion. He (Mr. Mackenzie) thought the Dominion had adopted the federal system of government, as had the United States. The Dominion, as also the United States, had adopted representation by population in the popular chamber, and the only difference lay in the constitution of the respective Senates. The member for Hochelaga had very justly shown that the civil affairs of the United States, comprising all the Dominion had to attend to, and a great deal more, were well

administered by seven officers. In considering the number of cabinet ministers necessary for the Dominion, he (Mr. Mackenzie) admitted reference must be had to the future, and in doing so he would desire not to speak dogmatically or to assert that a certain number would always be sufficient. But he thought the present Government made this mistake, when they organized the Government they commenced with the maximum number instead of commencing with the smaller number and proceeding upwards, if the interest of the country seemed afterwards to demand it. He could not but think that the policy of Government had been dictated quite as much from political necessity, from the exigencies of the moment, as from a desire to sustain the real interests of the country. The Minister of Militia went so far as to assert that Government should possess the confidence of all sections of this country. Well, it was clear they did not possess that confidence.

**Hon. Mr. Cartier** rose to explain. What he wished to convey to the House was that a Government had to be formed which would command the confidence of the people of the country, expressed through the members of that House. (Laughter).

**Mr. Mackenzie** said the honourable member must be corrected. That was not the statement he made. His words were "all sections of the country"; and one section of the country, Nova Scotia, was certainly entirely unrepresented. (Hear, hear). It had been urged by the Minister of Justice that in order to have a consulting body, some members of the cabinet must be relieved to a great extent from departmental duties, in order to enable them to attend to the general business of the Cabinet. He (Mr. Mackenzie) would far rather see two or three members appointed to office in the Government with little or no duty to perform, than see a department subdivided for such members when said department should not be so subdivided. There was the Department of Customs and Excise, for instance. The two were so necessarily allied together that he could not see how they could well be separated. Both these departments should be managed by one executive head. Then there was the Minister of Marine and Fisheries. Nothing could be more ridiculous than the extraordinary attempt which had been made to find duties for that officer. It was said that the value of their light-houses and fisheries represented such a sum, and of course a minister must look after them. He

ventured to say that the whole lighthouse business of the country did not equal that of many postmasters (hear). Then the Minister of Militia would have the country believe that in order to administer affairs connected with 40,000 men for eight days of the year, his services as head of the department were needed. He told the House that he stood at the head of a grand army of 700,000; but without being Minister at all, an honourable member of the House recently told them he was in command of 300,000 men.

**Hon. Mr. McGee** said he had stated that he represented the views of 300,000 men on the occasion referred to.

**Mr. Mackenzie**—Well, the honourable gentleman "represented" 300,000, so that the Minister of Militia could not boast so much of his 700,000 men. (Hear). His (Mr. Mackenzie's) impression was that the departments of Militia and Marine ought to have been combined. The three offices he had indicated might have been dispensed with, and if the Ministry found it desirable to obtain more assistance, they could have either appointed an associate in the Cabinet, with nominal duties, or have heads of the departments as in England, in order to discharge all the duties except those which necessarily required the immediate attention of Ministers themselves. He would much rather have been able to approve of the policy of the first Ministry of the Dominion on this occasion than to oppose it, for though he had opposed them during the elections, yet they had succeeded. He felt bound to sustain them as the Government of the country in everything that really affected its present and prospective welfare. Believing, however, that the Government had erred in this matter, he felt bound to record his convictions of the error they had made, and hoped that even yet they would retrieve themselves by dispensing with two of these departments, now that they had an opportunity.

**Hon. Mr. Galt** expressed his high approval of the remarks which had just been addressed to the House by the member for Lambton. Although he could not agree with him in his conclusions, they had been sustained by argument, and ought to be met in the same way. He (Mr. Galt) thought it was an advantage that there should be some members of the Government not overcharged with departmental work, who might be able to take up some of the important subjects

which would from time to time arise, and give their whole minds to them. The necessity for the number of officers in the Cabinet, therefore, should not be judged by the number of departments requiring to have their heads fully employed. There was the necessity also of having a fair representation for each Province, and in this view he held that the Premier judged wisely in recommending that the number of Cabinet Ministers should be thirteen. As regarded the subdivision of the Finance Department, he thought the Minister of Justice had put the case very clearly. He quite concurred in the view of that honourable gentleman as to the responsibility of the Minister of Finance under the new system of subdivision of offices. The Minister primarily responsible for the expenditure of the country must be entrusted with the responsibility of recommending to Parliament the measures of taxation by which it was to be met. Mr. Galt proceeded to urge the advantages of having a Treasury Board, which he said was an extension to Canada of a system which had worked admirably in England. The subdivision of offices being admitted, it would be impossible to maintain the harmony which ought to subsist between the systems of Customs and Excise in their relations to each other. Such subdivision he considered was necessary. If the Department of Finance covered the whole legislation, it was impossible for one Cabinet Minister to perform the work. The member for Lambton thought the Customs and Excise might have been united in one department. There were many reasons why this should not be done. The Customs related to foreign trade, the inland revenue had an entirely different bearing. It was only where the burden on the people had to be considered that it was necessary to have harmony between them, and that was effected by the Finance Minister having a controlling influence in originating the Legislation. The duties of the Fisheries Department might not be very onerous, but that department was necessary. If for no other reason in order that the Maritime Provinces might have the assurance that what was a prominent interest would always have a hearing at the Council Board. He went on to argue the importance and necessity of the Militia Department and that of the Secretary of State for the Provinces. If the Minister of Militia had any spare time, he was of all others the man best fitted to turn it to good account by devolving it to other matters requiring the attention of the Government.

[Mr. Mackenzie (Lambton).]

**Hon. Mr. Rose** said at the inauguration of the Dominion Government he had at first thought the number of Cabinet officers was unnecessarily great; but further reflection on the subject from the various points of view which had been presented to-night, had convinced him that a smaller number would not have sufficed. Having referred to the duties of the Militia Department and the Secretary of State for the Provinces, as requiring distinct departmental heads, he went on to urge the necessity which, in his opinion, justified a subdivision of the Finance Department. As regarded the Customs—while there were 71 ports in Ontario and Quebec the effect of Confederation was to add 110 ports in Nova Scotia and New Brunswick. The importance of the Excise Department had also increased. A few years ago, its revenue was half a million dollars, now it was nearly three millions. It was physically impossible for one man to discharge properly the duties devolving on the Finance Minister, and the Ministers of Customs and Inland Revenue.

**Hon. Mr. Holton** suggested that the debate on this Bill should be adjourned, so that there might be but one general debate on the whole subject instead of having a debate on each Bill.

**Sir John A. Macdonald** thought that it would be better that there should be an understanding that the general debate might go on upon each Bill as it came up. In that way the business of the House would be advanced, while all members who desired might have an opportunity at the same time of continuing the debate on the general policy of the Government in this matter.

**Hon. Mr. Holton** would prefer that the second reading of all these Bills should be moved together, and the general debate taken on that motion.

After further remarks, **Sir John A. Macdonald** consented to the adjournment of the debate.

The House adjourned at five minutes past 12 o'clock.

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# HOUSE OF COMMONS

Monday, April 6, 1868

The Speaker took the Chair at three o'clock.

## ARGENTEUIL PETITION

The following members were sworn at the table to serve on the Select Committee for trial of the Argenteuil election petition, viz., Messrs. Ault, Colby, Cartwright, Daoust, and Webb, Chairman.

The House having adjourned for five minutes to enable the Committee to sit, leave was granted on resumption, for its adjournment to the 23rd instant.

## MEASUREMENT OF COAL

Mr. Brousseau introduced a Bill to amend the Consolidated Statutes of Lower Canada by alteration of the enactments affecting the measurement of coal, and the second reading was fixed for Thursday.

## QUESTIONS

### MURRAY CANAL

Mr. Keeler—Whether it is the intention of the Government to make provision in the estimates for the construction of the Murray Canal, for which ample reservations of lands were made in the year 1796 and subsequently—which lands have been sold, but the proceeds of which sales have not been appropriated to the original object?

Hon. Mr. McDougall said it was not the intention of the Government during the present session to make provision in the Estimates for the construction of the Murray Canal. Several parties interested in this important work had recently had interviews with members of the Government, and the matter would engage their attention.

## STATUTES

Mr. Cartwright—Whether the attention of the Government has been called to the difficulty experienced by members of the legal profession and others in procuring copies of the Consolidated Statutes of Canada and Up-

per Canada, and whether it is the intention of the Government to take any steps to supply the deficiency, and when?

Hon. Mr. Cartier stated it was not the intention of the Government to take steps to supply the deficiency of copies of the Consolidated Statutes of Canada, complained of by members of the legal profession.

## MERCHANTABLE TIMBER

Hon. Mr. Blanchet—Whether it is the intention of the Government to bring down, during the present session, a measure to assimilate the laws of the several Provinces of the Dominion respecting the inspection and measurement of merchantable timber?

Hon. Mr. Rose said the Government would not be able this session to introduce a measure to assimilate the laws of the several Provinces of the Dominion respecting the inspection and measurement of merchantable timber.

## THE CANALS

Mr. Workman—Whether it is the intention of the Government, in view of the present early Spring and early opening of river navigation, to adopt the necessary steps to secure an equally early opening of the public canals, and thereby confer upon the mercantile community the great advantage of cheap freights and quick despatch in moving to market the produce and merchandise of Eastern and Western Canada?

Hon. Mr. McDougall said the Government had adopted steps to make the necessary repairs on the canals, so as to secure their early opening.

## RIVER SAINT JOHN

Mr. Costigan—Whether it is the intention of the Government to make provision in the estimates for the improvement of the navigation on the River Saint John and its tributaries, Madawaska and Tobique?

Hon. Mr. McDougall said the Government had taken measures to repair, or rather rebuild, certain bridges over the River Saint John.

## HARBOURS, WHARVES, ETC.

**Mr. M. C. Cameron**—Whether the Government intend doing anything, and if so, when and what towards the construction of a harbour of refuge on the east coast of Lake Huron, there being at present no safe harborage on that coast for the protection of vessels, engaged in the commerce of the lakes, or for the safety and protection of Her Majesty's gunboats stationed there. Three several Select Committees, appointed by the House of Assembly of the Province of Canada, having, on three several occasions, reported strongly in favour of such a harbour?

**Hon. Mr. McDougall** said he would like these questions to stand till after the recess. The subject was one of considerable importance, both constitutionally, and as a matter of expenditure. It was now engaging the attention of Government with a view to arriving at a just conclusion upon it.

## JUDGE OF HURON AND BRUCE

**Mr. M. C. Cameron**—Whether Isaac F. Toms, appointed Junior or Deputy Judge of the County Court of the United Counties of Huron and Bruce in 1866, has resigned that appointment, or whether his Commission as such Junior or Deputy Judge has been cancelled or superseded, and if so, when?

**Sir John A. Macdonald** said that Judge Toms, of Huron and Bruce, resigned his office on 24th August last. His resignation was accepted on 2nd September, and the acceptance of it was communicated to him on September 9th.

## TAXING EXPRESS COMPANIES

**Mr. Bodwell**—Whether it is the intention of the Government to provide for the taxation in the form of a license, or otherwise, of express companies doing business in Canada, and to require a deposit from foreign companies doing such business in Canada, sufficient to protect the public against loss in case of default on the part of such companies?

**Hon. Mr. Rose** said the question of imposing a tax on express companies doing business in Canada, and requiring a deposit from foreign companies doing such business, was under the consideration of Government, in connection with other measures affecting the revenue.

## FORT WILLIAM

**Mr. McConkey**—Whether it is the intention of the Government to put such sum in the estimates as will remove the bar or obstruction at the mouth of the Kamanistigun River, at Fort William, Lake Superior, with a view to the navigation of that stream?

**Hon. Mr. McDougall** said it was not the intention of the Government to take any steps with reference to the removal of the obstruction at the mouth of Kamanistigun river at Fort William, Lake Superior.

## NAVIGATION OF RIVER SYDENHAM

**Mr. Mills** moved the second reading of the Bill to facilitate the removal of obstruction to the navigation of the River Sydenham.

**Hon. Mr. McDougall** said so far as the Bill related to keeping this river navigable it was the duty of this Government to take such steps as might be necessary for that purpose; but the power given by the Bill to parties to take and hold as their own property logs and timber which may have been sunk in the river, struck him as a question of civil right, which was a question for the Local Government to deal with as far as the first point was concerned. If the Bill was necessary it was one which should be in the hands, not of the member for Bothwell, but of himself (Mr. McDougall), as Minister of Public Works, and he would advise the honourable gentleman to let it stand till after the Easter recess.

**Mr. Morris** expressed the opinion that the words "navigation and shipping" in the Union Act, among the class of subjects to be legislated on by this Parliament, applied to legislation of a general character on these subjects, and not to the question of obstructions to the navigation of particular rivers, which was a question, he thought, belonging to the Local Government and Legislature.

**Mr. Mills**, while accepting the suggestion of the Minister of Public Works, contended that there could be no doubt as to the power of this Parliament to legislate on the subject.

**Mr. Abbott** was disposed to concur in the view suggested by the member for Lanark. He thought this House was to legislate on matters of trade, navigation and shipping in the general and abstract. If it was held that the words "navigation and shipping" gave this Parliament jurisdiction over every part

of any river which might be made navigable, that would be a jurisdiction of a very extensive character.

**Mr. Mackenzie** said he could not understand what the member for Argenteuil meant by laws in the abstract. There would be no sense in this Parliament having power to legislate on navigation in the abstract; they must have power to regulate the navigation of lakes and particular rivers, or they had no power at all. He was rather suspicious of the view taken of this matter by gentlemen from Montreal, when he found them attempting by local powers to obstruct our principal river with a dam. If there was one duty more incumbent than another on this legislature, he thought it was to guard the free navigation of our rivers.

**Mr. Blake** said there was attached to the Union Act a schedule which provided that public harbours, rivers, and lakes' improvements should be the property of Canada. If these were the property of Canada, Canada should clearly have the power of regulating them.

**Hon. J. S. Macdonald** said the Legislature of Ontario had passed a Bill establishing a Board of Trade in one of its towns, in other words, enabling the parties interested to put their trade affair under a Corporation. They did this with the risk of this Government disallowing the Bill. He hoped this Parliament would not rise without an expression of opinion on the part of this House at all events, about the extent of jurisdiction of the Canadian Parliament in such matters—where it began and where it stopped. There was a difficulty also as to the pardoning power. It would be a strange state of things if after the Local Legislature imposed a fine and imprisonment for violation of its laws, the Government could not remit such penalties without reference to the General Government. Doubts of this sort, as to the extent of the powers of the two bodies ought to be removed.

**Sir John A. Macdonald** said at the inauguration of a new system like ours, it was to be expected that many questions might arise as to what belonged to the general and what to the local bodies. It was to him matter of surprise that so few difficulties had arisen. The question however was—what was the law? and he did not see how they could alter this by any resolution of this House. If it was found that they could not put a construction

on the law under which a satisfactory conclusion could be arrived at, they would have to go to the Imperial Parliament and get an amended Act. The Parliament of the Dominion had power to legislate on every subject not expressly included in the clause conferring powers on the Local Parliaments. This was entirely different from the American system, under which all powers belonged to the States as sovereign powers, except those specially conferred on Congress. Under the power of this Parliament to legislate on all subjects affecting the welfare and good Government of the Dominion, except those specially conferred on the Local Legislatures, it might perhaps by special enactments confer certain powers on the Local Legislatures in the same way as the old Province of Canada had the right to confer on municipalities certain powers of taxation, etc.

**Hon. J. S. Macdonald**—The Provincial Parliament created the municipalities, but it is not the Dominion Parliament which has created the Local Parliaments; that is an important distinction.

**Sir John A. Macdonald** admitted that it was, and said that this consideration might perhaps make it impossible for this Parliament to confer additional powers on the local bodies beyond those conferred by the Union Act.

**Hon. Mr. Chauveau** made some remarks in French, to the effect that the local bodies were independent of the General Parliament, and could amend their constitutions, while the Dominion Parliament could not amend its constitution.

**Hon. Mr. Smith** pointed out that the final responsibility rested with the General Government, since they had the veto power over all Acts of the Local Legislature.

**Mr. Johnson** thought it clear that under the Constitution the Dominion Parliament had full control of all matters relating to navigation, and that if the Local Legislatures passed laws on any such matters they would be inoperative.

**Hon. Mr. Holton**, with reference to the power of amending their constitution claimed for the Local Legislature by Mr. Chauveau, remarked that, practically, a Local Legislature could not touch its constitution without consent of this Parliament, because the power of disallowance and of veto resting with the Governor-General, was practically exercised

under authority of this House, for the advice to the Governor-General must be given by Ministers responsible to this House. The honourable gentleman said the Local Legislatures were independent of this Parliament. He (Mr. Holton) told the honourable gentleman that in his Province of Quebec he had no powers independent of this Parliament. This was the first Parliament ever created under the British system. He was amazed to hear the leader of the Government, who claimed some merit, and he believed properly, for having got from the Legislature of the Empire the recognition of our existence as a Parliament, saying that we had no power to deal with such a question as that now under consideration—that we must go to the Imperial Parliament to get power to deal with questions presenting themselves to this House. In connection with this subject, he would like to know from Government what view they took of the very important measure now before them, the incorporation of the St. Louis Hydraulic Company, passed by the Quebec Legislature. He thought it singular that the Quebec Government should have allowed a Bill to pass which they would not advise the Lieutenant-Governor to sanction. It was important to know what course the Dominion Government intended to take with reference to this Bill, which raised a very important question as to the jurisdiction of the Local Legislatures over the borders of the great River St. Lawrence.

**Hon. Mr. Cartier** was glad to hear the honourable member for Chateauguay speak of this Parliament as the next great political institution to that of the English Parliament. It was a pleasure to hear a former opponent of the Confederation scheme speak thus of it. He (Mr. Cartier) would inform the member for Chateauguay that the members for Quebec and for Brome did not argue that the power of the Local Government was derived from the Federal Government, and undoubtedly if there were any conflict of authority between the Local and Federal Parliament, the difficulty could not be solved by that House, nor yet the Local Legislature. It must be a question for adjudication by the Judges. The Federal Government now had power to establish a general Court of Appeal, and that Court would take cognizance of such difficulties. As to the statement that the Dominion Parliament was supreme, and that without their consent the Local Legislature could do nothing, the statement was incorrect. The Provincial Legislature had certain

[Mr. Holton (Chateauguay).]

rights assigned to them, and with regard to these they could legislate independently of the Dominion. True, there was a power of disallowance reserved to the Governor-General, not to that House, although there was not the least doubt His Excellency would be advised in such cases by the Government. There was in reality no such thing as the supremacy of this Parliament over the Local Legislature, and he would be very sorry to believe such a power existed. He would ask, was not their legislation in that House subject to be disallowed by the Queen, acting through the advice of her Privy Council? And would any honourable gentleman state that that Parliament had no power to legislate irrespective of the British Parliament, because the Queen had the disallowing power? If such could be the case, what was the use of that great political institution which the honourable member for Chateauguay had spoken of so highly? The fact was that both the Federal and Local Legislatures had their independent rights, and there was no such thing as supremacy in the sense understood by some members. The matter respecting the Hydraulic Company was one under the consideration of the Government at present, and he could say nothing concerning it.

**Hon. Mr. Dunkin** in reply to the member for Chateauguay would simply remark that the particular measure referred to, the St. Louis Hydraulic Company's Bill, had no reference to the navigable waters of the St. Lawrence. It had reference only to that portion of the river which was not navigable, never had been and never would be. On that ground, the Local Legislature did not oppose it, but not being sure of their right to enact it the measure was referred.

**Hon. Mr. Fisher** made some remarks which were for the most part inaudible.

The motion was withdrawn.

#### RECALL OF DR. TUPPER

Notices of motion having been taken up—

**Dr. Parker**, who happened to be out of the House when his motion for the recall of Dr. Tupper was called, shortly afterwards came in and asked leave to go back on the paper and have his motion taken up.

**Hon. Mr. McGee**—The honourable gentleman cannot do so except by consent, and I object.

**Dr. Parker** hoped the honourable gentleman would withdraw his objection.

**Hon. Mr. McGee**—I object. It is better for the peace of the country that I should do so.

The matter dropped.

#### CUSTOM HOUSE OFFICERS

**Mr. Lawson** moved to rescind the resolution of the 17th of March adopting the report of the Printing Committee to the effect that a certain return respecting officers of Customs should not be printed.

**Mr. Young** said the statistics called for were already printed in the public accounts, and the recommendation of the Committee not to repeat them was a good one.

**Mr. Mackenzie** said the Printing Committee were unanimously of opinion that there was no necessity for printing the document referred to, and if the House did not support the Committee in preventing the printing of papers which they deemed entirely useless, there would be no necessity for the Committee at all.

**Mr. Lawson** desired the printing of the document, as it gave in a concise shape information on a point of much public interest. Complaints had been made of the number of Custom House officers, and of their being overpaid. He did not think they were overpaid, but wished the information for his constituents. They found that there were some 20 ports which cost the Government \$15,000 more than they collected.

**Sir John A. Macdonald** said the Committee on printing had an onerous and responsible duty, and ought to be sustained by the House. Perhaps the honourable gentleman who moved the motion might be heard again by the Committee.

**Mr. Mackenzie** said there was full notice given by the Committee of their meetings, and the members had no wish to stand in the way of the printing of any document which ought to be printed.

**Mr. Lawson** believed the matter was a foregone conclusion with the Committee.

**Mr. Mackenzie**—Order! The honourable gentleman should not impute motives.

**Mr. Speaker** ruled the member for South Norfolk out of order.

**Mr. Lawson** withdrew the motion.

#### DOMINION STOCK

**Mr. Gibbs** moved for returns showing the amount of public bonds and stock issued by the Dominion of Canada since 1st July last, and the terms at which issued, without, however, the names of the parties to whom the stock was allotted.

**Mr. Gibbs** said he made this motion in the interest of the public, to get that information which the honourable member for Chateauguay failed to obtain, except such as related to the name of the holders of the stock and the correspondence between the Government and the Bank of Montreal.

**Hon. Mr. Rose** said the Government were desirous of giving the fullest information on the subject which they could, and the return asked for would be brought down to the House as soon as possible.

**Hon. Mr. Holton** did not wonder that the member from South Ontario should have put the motion, and that the Finance Minister should have acceded to it. The position of his friend, the member for South Ontario, had been slightly embarrassing. It was easily seen when the honourable member had to vote down his (Mr. Holton's) motion the other day for information on this subject, a subject on which that honourable member (Mr. Gibbs) and the part of the country from which he came, desired information. Now, it was the object of that honourable member to cover over that vote as far as he could by making one on the same subject, which would be acceptable to the Government. This little arrangement would be well understood in the country. Under this motion, the information which the House and country desired would not be forthcoming. What that honourable gentleman's constituents desired to know, was what are the terms and conditions on which the Government had dealt with that gigantic monied corporation, which had its claws on the vitals of this country. (Hear, hear.) But the honourable member who moved this motion was quite willing to let the Government off without giving this information. He (Mr. Holton) had some idea of moving an amendment to this motion, which would really call for the information the Finance Minister would be pleased to afford his supporter, the member for South Ontario. When that information was got, the House would be in a position to extort from an unwilling Finance Minister that information they were entitled to, which the country would sooner or later insist on.

**Mr. Gibbs** said he had no hesitation in giving the vote he had done the other day, but the remarks of the honourable member were rather ungracious, coming from a gentleman who introduced his last resolution well knowing, from the fate of the first, that the information asked for would not be granted, and who, because he could not get all, would take none.

**Mr. Mackenzie** said that the motion moved by the honourable member for Chateauguay, to which allusion had been made, was one suggested by the member of South Lennox, and spoken favourably of by the members for Renfrew and South Ontario. One of these gentlemen having suggested the motion to the member for Chateauguay with whom they had been in accord in bank sentiments, nothing was more natural than that honourable gentleman should make the motion, and he (Mr. Mackenzie) confessed, however, that he was never more astonished in his life than to see one member after another member stand up and vote against this very motion. (Hear and laughter).

**Mr. Cartwright** was free to acknowledge he did suggest the motion, but he bowed to the judgment of the Minister of Justice in the matter, who had desired that compliance with the resolution would be adverse to the public interest.

**Mr. Mackenzie** said that not a single member of the Ministry said the motion of the member for Chateauguay was adverse to the public interest.

**Hon. Mr. Galt** protested against its being taken for granted that the Government were at a great disadvantage in consequence of their arrangement with the Bank of Montreal. He wished to bear his testimony to the fair dealing of that institution towards the Government. In circumstances of very considerable financial difficulty the Government had received assistance from the Bank of Montreal, the absence of which would perhaps have proved exceedingly embarrassing to the Ministry of the day.

At six o'clock the House rose.

**After the recess,**

**Hon. Mr. Rose** having obtained leave to speak, said he did not decide to allow the statement of the member for Chateauguay to pass unchallenged. Now, he would state once for all, that the Government desired to give the fullest information of all the transactions

they had with their fiscal agents. There was nothing whatever in these the Government need to be afraid of. All these transactions had been solely dictated and carried on with an eye to the public interest. No information which the House or country has a right to expect would be withheld.

**Hon. Mr. Holton** hoped, as every information was to be given, that the correspondence on this subject, which he had asked for, would be forthcoming. He had no hesitation in saying that at one time when he was in the Administration, the Bank of Montreal was a useful public servant—now it would become master.

**Hon. John S. Macdonald** said the statement of the member for Chateauguay regarding the Bank of Montreal was not warranted. He protested against this continued harping against the Bank of Montreal. The fact was that the bank was patronized by the Government because it had helped them cheerfully and materially in times of need, and was besides by far the best managed institution of that time in the Dominion. Let the member for Chateauguay attack the Government and let the servant of the Government alone. It was unfair to attack the Bank of Montreal when the gentlemen of the Treasury Benches were the really responsible parties.

**Dr. Parker** thought that even though there was nothing to conceal, as the Minister of Finance stated, still his continued mystery on the subject would excite suspicion in the country. He would prefer that the whole information should be given.

The motion was carried.

#### LABRADOR

**Mr. Fortin** moved an address for all correspondence between the Government of the late Province of Canada and of the Dominion of Canada and Newfoundland, in relation to the boundary line of Labrador.—Carried.

**Mr. Fortin** moved an address for all correspondence relating to the custom duties exacted by the Newfoundland Government from Canadian fishermen on the Coast of Labrador.—Carried.

#### NOVA SCOTIA—REPEAL—DR. TUPPER

**Mr. McDonald (Antigonish)** moved for a copy of the address of the House of Assembly of Nova Scotia, praying for the repeal of so much of the British North America Act as

refers to that Province, with the Government instruction to Dr. Tupper for his guidance in England. The honourable member addressed the House, advocating that the Government should declare their policy on this very important question of repeal, which vitally affected one of the Provinces of the Dominion—Nova Scotia. That Province has sent a deputation to England. The Government of the Dominion had sent a commissioner to thwart the wishes of that colony, and Dr. Tupper, the envoy of the Dominion, was one who totally misrepresented the wishes or feelings of Nova Scotia.

**Sir John A. Macdonald** said there was no objection to the address if the wording of the motion were altered so as to pray His Excellency to procure a copy of the address in question, as it was quite possible he had not copies of it when placed in his hands for transmission to England.

The motion was altered to meet this suggestion.

**Mr. Stewart Campbell** suggested that the honourable member for Antigonish should add to his motion a request for the resolution on which the address had been founded.

**Mr. McDonald** would not do so.

**Mr. Campbell**, seconded by **Mr. McGee**, moved in amendment that the words "resolution on which the address was founded", be added to the motion.

**Dr. Parker** rose to move an amendment of which he had given notice, relative to the recall of Dr. Tupper. He was a man utterly disqualified for being a representative of the Dominion, and sending him home only deepened the disaffection of the sister Province of Nova Scotia. The question now was whether this disaffection should be allowed to go on and spread to a dangerous extent, or whether efforts should be made such as would tend to give confidence to the people of Nova Scotia that their interests were not overlooked. If really the Government desired to extinguish instead of fanning the flame of discontent, then it seemed to him they should undo that which they had hastily and ill-advisedly done, and recall their Commissioner. As Tupper was unpopular in Nova Scotia, so would the Government that sent him to England be. The dislike now evinced to Dr. Tupper would undoubtedly be transferred to the Government of the Dominion. These gentlemen had to thank themselves, for from first to last their policy had been one of shift

and expediency and miserable blundering, so that now that Ministerial party which went to the polls as the Union party was really a disunion party; one whose blundering and incapacity had already done much to destroy the unity and prospects of the Dominion. Not only were the most influential representatives of Nova Scotia treated contemptuously by the Government in that House, but the Government by their tariffs, and other means still further alienated that Province. Step by step the present Government had pursued a course inimical and dangerous to the Union. Then came the crowning act of folly in the appointment of the honourable member for Cumberland as Commissioner to England. Now, he hardly believed that as a question of right and a question of policy, the Government of the Dominion should not have interfered. The question at issue was one at this stage solely between the Province of Nova Scotia and the Imperial Government. As to the appointment of Dr. Tupper, it was one in which the Minister of Militia did not seem altogether to coincide. It appeared to have been the work of the leader of the Government, and since it had been decided on, it was a pity the precaution taken by the Minister of Militia to join the member for Sherbrooke with the mission, was not acted on. The motion he desired to move in amendment was that it be added to the resolution that in the opinion of this House the appointment of Hon. Dr. Tupper, C.B., as representative of this Dominion in England, in opposition to the delegation sent from Nova Scotia to lay their grievances before the Imperial authorities, is calculated to increase the existing discontent of that Province, and that an address be presented to His Excellency praying the recall of Dr. Tupper.

**Hon. Mr. Holton** seconded the motion.

**Mr. Magill** said if he had been an opponent of Confederation he would support this amendment, but as a supporter of the Act of Union he felt bound to oppose it. He considered that no insult had been offered to Nova Scotia in the appointment of Dr. Tupper, who had been compared to the last rose of summer, and who, carrying out the simile, still remained blooming after the desertion of his companions. (Laughter). He believed that, on reflection, Nova Scotia would reconsider her position, and become eventually as staunch a component of Confederation as Quebec or Ontario.

**Mr. Thompson (Haldimand)** asked whether the Government intended to introduce a

measure to remove the tolls from the Burlington Bay Canal, amid universal and prolonged merriment.

#### MR. MCGEE'S LAST SPEECH

I took objection, sir, this afternoon to the motion which has stood for some days in the name of the honourable member for Wellington Centre, and which has now been introduced as an amendment, being taken up out of order. I did so, as I stated then, believing that such a discussion as it was likely to occasion would not be conducive to the peaceful interests of the country, and the objection which I raised has been sustained. That objection was made as much in the interest of the honourable member himself as of any other of this country. And had he but availed himself of the interval which had thus been offered him for the exercise of reflection, and decided not to throw himself, as he has now done, into this Nova Scotia quarrel, I believe sir, that, in after years, he would not have failed to acknowledge the service which I had rendered him. I believe that the honourable member, although he had spent some time previously in opposing Confederation, came from the hustings as a "fair trial man"—one of those pledged at his election to give the new system a fair trial—and how is he fulfilling that pledge? He is seeking for subjects of irritation, and not finding it advisable openly to oppose the principles of Union here, loses no opportunity to strike below the belt—to deal a stab in the dark—and it is time now that the mask should be torn from his face. In the honourable profession to which he belongs there are certain applications in use, known to the faculty as emollients. If, in the exercise of the duties of that honourable profession, he makes such liberal emollient use of vinegar and gall as he here employs towards Confederation, all I can say is that his unlucky patients are sincerely to be pitied. The honourable gentleman had affected to be a convert to Confederation. If he had been really a convert, he would be prepared even at the eleventh hour—even at the eleventh hour and the fifty-ninth minute—to give the new system a fair trial. If he had been earnest in his professions of desire for the success of Confederation he might have said, "I do not think Dr. Tupper was the best choice for this mission, but, since he has gone, I wish him all success for the sake of the welfare of the Union." If he thinks it

necessary at all to go into the matter of the appointment of a gentleman to watch the interests of the Dominion in this matter of repeal, he might be expected to do so in some such spirit, and to discuss it in some such tone. He knows well that no good can possibly result from such a motion at such a time; he knows well that the motion must certainly miscarry; and he knows well that if it were possible for it to be adopted, the recall of Dr. Tupper would have no appreciable effect in the conciliation of Nova Scotia. Why, Sir, it would be only the abstraction of a thimble full from the bucket of her discontentment. The dissatisfaction with the Union which unhappily prevails among a considerable portion of the people there is founded on other grounds than Dr. Tupper's appointment, and has existed long previously. It is a family matter which it is the right to leave within the family; and it is for this reason that none other than a Nova Scotian could have been judiciously chosen for the mission. There are not many in this House, not Nova Scotians, who know much about Nova Scotia, and why not leave Nova Scotians to meet Nova Scotians on their own ground? Dr. Tupper's character has been assailed, and he himself personally maligned, and it is due to him that he should be placed in a position to justify his conduct, with regard to the part he had taken towards obtaining that Imperial Act of legislation by which the Union had been established. It has been charged against him that he has lost the confidence of his own people. Sir, I hope that in this House mere temporary or local popularity will never be made the test by which to measure the worth or efficiency of a public servant. (Hear, hear). He, Sir, who builds upon popularity builds upon a shifting sand. He who rests simply on popularity, and who will risk the right in hunting after popularity, will soon find the object he pursues slip away from him. It is, Sir, in my humble opinion, the leader of a forlorn hope who is ready to meet and stem the tide of temporary unpopularity, who is prepared, if needs be, to sacrifice himself in defence of the principles which he has adopted as those of truth—who shows us that he is ready not only to triumph with his principles, but even to suffer for his principles—who has proved himself, above all others, worthy of peculiar honour. (Applause). It would show but a base spirit to sacrifice the man who had sacrificed himself for the Union. Nothing in this appointment has so greatly pleased me as the chivalry of spirit by which it has been dictated, and in which the honourable and

[Mr. Thompson (Haldimand).]



learned Knight at the head of the Government has defended the honourable member for Cumberland in his absence. (Hear, hear). I think, Sir, that it is a pity that our Nova Scotia friends have not yet been able to make up their minds to give the scheme of Union a fair trial—that they have not consented to allow it to work untrammelled—that they have not been contented to watch its natural revolution in its appointed orbit unchecked by any stumbling block of their placing. For their own sakes—for the sakes of their ancient and renowned loyalty of their Province—I regret the course they have chosen. The Repeal address which the popular branch of their Legislature has adopted, and a copy of which is asked for in the motion now before us is too schoolboy a performance to prove creditable to Nova Scotia on the journals of this House, if it is to be entered there. It is unworthy of that Province which has produced so illustrious an array of men of eminence—men whom we respect not only as lawyers of excellence, but also as acknowledged masters of English composition. It is a document at once ill-considered and fallacious—the production of empiric politicians—and, while we admit the discredit which its publication will attach to Nova Scotia, we must remember that any shortcoming on her part will reflect some portion of its discredit upon ourselves also, recollecting that whatever reputation is achieved by British Americans abroad, will be made applicable to every section of the whole Dominion. The propositions which the address enunciates are of two classes: firstly, statements of opinion or conclusions of argument, which I, Sir, for one, maintain to be unsound; and secondly, allegations of fact, which, in many instances, I know to be incorrect. And I say that it is not creditable to the author of that address to hear the tone in which he speaks of the administration of our institutions, and stigmatizes the Lieutenant-Governors who rule these Provinces as the mere tools of the Canadian Government, while he brands the Senators of his own Province as hirelings purchased to carry out the Union. It is not creditable that such a charge should have been brought by Nova Scotians against Nova Scotians. The address complains generally of injuries supposed to have been inflicted upon Nova Scotia by the old Province of Canada, and charged our statesmen with having juggled Nova Scotia out of her liberties. Such allegations, or any allegations of the existence of any quarrel

between Nova Scotia and Canada, are totally groundless. The address totally misstates the question. The quarrel, if any quarrel there be, rests between Nova Scotia and the British Empire, from whose power the Act of Union alone derives its authority. And I think, Sir, without any disrespect to that Province, that, in any controversy with the British Empire, even the most patriotic Nova Scotian will admit himself overmatched, in his attempt to limit the power of British influence. The Nova Scotian complaints divide themselves under two heads. A portion of them may be within the power of this House to remedy, and a portion of them are not so, but rest entirely with the Imperial Parliament. With the latter we have no concern, but as regards our own share, I am sure that this House has no disposition to act in any spirit of unfairness. (Hear, hear). It may be that there are some grounds of complaint with regard to some of the legislation of the early part of the session, and that, in such minor matters as the newspaper postage and certain tariff impositions, Nova Scotia may have some grounds for remonstrance, but so long as these points admit of modification or adjustment there will be no danger of its denial here. Whenever, Sir, the Nova Scotian case on these issues, is presented fairly and calmly, it will find an amount of support here which will leave none of its advocates ground for complaint that the voice of Nova Scotia demanding justice is not fairly listened to within these walls. Then as now, and in that case as in every case, the representatives of Nova Scotia will find all parties in this House united in the desire of doing justice to their Province. And, Sir, I am sure that not one of them will deny to-day that the same justice has been meted out to themselves as to all other portions of the Dominion, or that fear, favour or affection for any individual localities has been evidenced in the Government of the Confederation. But Nova Scotia must only ask us to consider these subjects from a broad national point of view, and to deal with herself, not with exceptional partiality, but in the same spirit of even-handed fairness which we extended equally to Quebec, Ontario, or New Brunswick. And here, Sir, I cannot withhold my acknowledgement of respectful appreciation of the moderate and large-minded, and truly national spirit, in which the honourable member for Lambton, the leader of the largest section of the Opposition, has approached and has dealt with all these great questions affecting the

carrying out, and the maintenance and the welfare of the Union. All that can be justly required on the part of Nova Scotia, is that the opinions of her representatives, expressed in this Legislature here, shall carry with them their duly proportionate weight, and I have only to regret that gentlemen opposite should have taken their stand upon a platform so ultramontane as to forbid approach by any well wisher of the Union. If there is to be any satisfactory cooperation upon the subjects in which they are most deeply interested, they must endeavour to modify the extremeness of their views—not necessarily to compel them to a coincidence with ours, but at least to present them, where alone argument or comparison can be possible, in the same plane. In the attitude they have taken the first advances towards mutual political amity must come from them, and these advances will be, I shall venture to assert for all on our side, frankly and fairly responded to. I hold, Sir, in my hands a little volume, a pamphlet which has been very recently issued, but which I shall take the liberty of recommending to every member of this House, as well worthy of his attentive perusal. It is entitled "Intercolonial Trade—Our Only Safeguard against Disunion." Its author is Mr. Haliburton, whose happy manner of treating his important subject displays the great ability hereditary in his name. Mr. Haliburton is not, I believe, actively mixed up with politics, and undoubtedly handles his topic in no merely party style. From this reason alone the conclusions from his disinterested, impartial and unimpassioned point of view, adopted and published in the interests of the permanent prosperity of the country, must be regarded of greater weight, and of greater soundness, than those of the framers of this address, which can work but a temporary mischief. And this pamphlet shows conclusively, beyond doubt or cavil, that ought indeed to be sufficiently obvious to us all—that the Union is not to be consolidated by any temporary conciliating concessions to evanescent popular prejudice—not by any momentary humouring, in this direction or in that, of some particular local or sectional phase of public opinion—but by our constant, earnest and unremitting care of the commercial welfare and progress of the Province. And besides this attention and practical consideration we need, above everything else, the healing influence of time. I have, Sir, great reliance on the mellowing effects of time. It is not only the lime, and the sand, and the hair, [Mr. McGee (Montreal West).]

and the mortar, but the time which has been taken to temper it. And if time be so necessary an element in so rudimentary a process as the mixing of mortar, of how much greater importance must it be in the work of consolidating the Confederation of these Provinces. Time, Sir, will heal all existing irritations; time will mellow and refine all points of contrast that seem so harsh to-day; time will come to the aid of the pervading principles of impartial justice, which happily permeates the whole land. By and by Time will show us the Constitution of this Dominion as much cherished in the hearts of the people of all its Provinces, not excepting Nova Scotia, as is the British Constitution itself. And I do not despair, with the assistance of Time, of seeing by and by the honourable member for Lunenburg himself converted into the heartiest supporter of Union within these walls, willing and anxious to perpetuate the system which he will find to work so advantageously for his own Province, and adopting the position of the honourable member for Guysboro' as that of the true and patriotic statesman. I will not, Sir, believe that such anticipations are ill founded, for I can find their precedent even in the history of Nova Scotia herself. When Cape Breton was annexed to Nova Scotia—annexed not by any Act of Parliament, but simply by an order of the King in Council, the people were so strongly opposed to the Union that they almost threatened rebellion. Well, Sir, this took place so lately as 1820, and already time has brought with it its certain healing operation, and there is no question raised now of the advantages which the Union has conferred. There is no such question, because there has been no consequent injustice. The incorporated people have found that there is no desire to rob them of their liberties, and no disposition to treat them with unfairness. They see, what time shows them, that the Union was affected for their advantage, as well as that of their neighbours, and they are satisfied, because they find it working for both. And, Sir, I have every confidence that we will similarly wear out Nova Scotian hostility by the unflinching exercise and exhibition of a high-minded spirit of fair play. It has been said that the interests of Canada are diametrically opposed to the interests of Nova Scotia, but I ask which of the parties to the partnership has most interests in its successful conduct, or has most to fear from the failure which the

misfortunes or the losses of any of its members must occasion. Would it not be we who have embarked the largest share of the capital of Confederation? Our friends, Sir, need have no fear but that that Confederation will ever be administered with serene and even justice. To its whole history, from its earliest inception to its final triumphant consumation, no stigma can be attached, no stain attributed. Its single aim from the beginning has been to consolidate the extent of British North America with the utmost regard to the independent powers and privileges of each Province, and I, Sir, who have been, and who am still, its warm and earnest advocate, speak here not as the representative of any race, or of any Province, but as thoroughly and emphatically a Canadian, ready and bound to recognize the claims, if any, of my Canadian fellow subjects, from the farthest east to the farthest west, equally as those of my nearest neighbour, or of the friend who proposed me on the hustings. (Great applause).

**Mr. Young** derided the practice of crying "peace, peace, where there is no peace," and asserting that the Union was really in danger, after repudiating with indignation the charge of disloyalty which had been so unjustly brought against his party, gave his opinion that the object of the amendment was one of conciliation, not agitation. (Hear, hear.) The result of sending Dr. Tupper home would be to impress Nova Scotia that we were to reap so great a benefit from the Confederation as to be determined to carry it through with or without the popular consent. (Hear, hear.) These principles were not, he maintained, prevalent in the West, which had never expected pecuniary advantage, nor contemplated an unwilling Union. He held that the Government should have sent home no envoy whatever, and last of all him whom they had chosen. They should have remembered that the Union had been carried, not by them, but by the Imperial authorities, and should have left the question unbiassed between Nova Scotia and the Mother Country, The honourable member for Montreal West had deprecated the interference of Dr. Parker in a controversy beyond his Province, but he should have carried his argument further, and should have regretted that the Government had not followed the abstinence he had recommended to the member for Wellington, and refrained from mixing themselves with affairs in which they had no right to meddle. It had been said that Dr. Tupper should not

be sacrificed because he was unpopular, but, although he could not understand how his new appointment to this mission would have involved his sacrifice, he held that personal considerations could not be justly permitted to outweigh national necessities, and added that he believed the Nova Scotia sentiment was directed less against Union principles than against the present administration, against whom such accusations of extravagance and even corruption had been credited as might convince their patriotism of the evil resulting to the Confederation from their retention of the reins of power. He could not comprehend the wisdom of imitating the ostrich in its efforts to persuade itself that no danger existed near it, and concluded by asserting that the most earnest and delicate efforts at conciliation could alone preserve the Union.

**Mr. McDonald (Lunenburg)** said he occupied a different standpoint from the mover of the amendment (Dr. Parker). That gentleman spoke as a friend of the Union. He (Mr. McDonald) made no such profession. He would rather not have taken part in this debate, for it was a matter of indifference to him whether Dr. Tupper went on this mission or stayed, he and his colleagues were here because the law compelled them to come here, and they wished to have so much of that law repealed as compelled their attendance, and the people of Nova Scotia left as they were before—the controllers of their own political and commercial destinies. He proceeded to refer to Mr. McGee's attack on the address which had emanated from the Local Parliament of Nova Scotia, and on the members who framed it. These gentlemen might not have the literary and logical ability which would satisfy the fastidious taste of the member for West Montreal, but they had this merit, at least, that they represented the sentiments and opinions of their people. He was not surprised the honourable gentleman should have spoken in the way he did of the absent when he remembered how valiantly on a former occasion he made it impossible for a gentleman in this House whom he had attacked somewhat warmly to reply to him. The member for West Montreal had stated that time would heal their irritation. He would ask was Ireland more conciliated at this hour than when she was united to England? The honourable gentleman indicated his opinion that the tariff of last December should be modified; but this would be done

not because the House would consider it right to be done, but because it would consider it dangerous to the peace of the Dominion that it should remain undone. But suppose that legislation was altered on account of the feeling now prevailing in Nova Scotia, what guarantee was there that a few years afterwards, when there was not the same excited feeling to deal with, the House would not perpetrate the same injustice? He did not think Nova Scotia would be diverted from her course by this talk about conciliation, and he would ask if the Government had really desired to conciliate Nova Scotia, was Dr. Tupper the man they would have sent on this mission? When the Government continued week after week to perform acts of this sort, insulting to Nova Scotia, they need not be surprised if the day was not far distant when the feelings of that Province would be manifested in a way little calculated to promote the peace and harmony of the country, and which would cause the Government of the Dominion to regret that they had not been a little more cautious. He should vote for the amendment, although he must again repeat that he regretted the necessity which had compelled him to take part in the debate.

**Hon. Mr. McGee** gave some explanations in reply to the charge made by the last speaker, that he had acted unfairly towards the Hon. Joseph Howe in the early part of the session. He said he had given notice to Mr. Howe that he was to refer to him in the course of his speech, but that gentleman said he was going to a club dinner, but a friend would take any notes of the speech that were necessary.

**Mr. Malcolm C. Cameron** would not have risen to speak at that late hour, but that he intended on that occasion to separate himself from the honourable gentleman on that side of the House with whom he usually acted. He thought it an extreme and uncalled for course to urge on the Government the recall of Dr. Tupper, a man who was not only talented, but one of the most upright and able who could be sent on a mission of this kind. He was not the best man who might have been chosen, but the constitutional way is that such appointments as these are the exclusive prerogative of the Crown, and unless in a case of flagrant corruption, or a job the House of Commons would not be justified in opposing such an appointment. In his (Mr. Cameron's) opinion, no such case had been made out by the member for Centre Wellington. That member had altogether failed to

establish such a case as should induce the House to take the extraordinary step of asking that the envoy of the Government be recalled. He could not, therefore, vote for the amendment; but he hoped this matter would teach the Government the necessity of a conciliatory policy toward Nova Scotia—a course very different from that they had hitherto pursued.

**Mr. Morris** raised a point of order, stating that the amendment, if added to the original resolution, would not be consistent with itself. The 1st clause of the original resolution requests a copy of the address to the Imperial Parliament, and of the instructions to Dr. Tupper, and then the amendment goes on to express an opinion on the delegate sent, and finally winds up by another prayer for an address praying the recall of Dr. Tupper. Now, the resolution, as thus drawn, was altogether inconsistent with itself.

**Hon. Mr. Holton** was bound to say that he thought the point of order well taken. He had allowed his name to be used as the seconder of the motion of the member for Centre Wellington, as it stood some days ago; but in tacking it on to the motion before the House that honourable member had not used due caution, and hence it stood liable to the objection which had been raised.

The Speaker ruled that the motion in amendment was in order.

**Hon. Mr. Cartier** suggested that the member for Centre Wellington should withdraw his amendment, as in the event of its being lost it killed off the motion of the honourable member for Guysboro' too.

**Hon. J. S. Macdonald** also recommended that the amendment be withdrawn, and let the matter it treated come up at a future time as a substantive motion.

**Hon. Mr. Galt** hoped, too, that the honourable member would withdraw his amendment. He (Mr. Galt) thought he would have been glad to be associated with a man of Dr. Tupper's abilities on any other mission, yet would not wish to be his associate in a mission which would not probably tend to the advantage of the country. He did not think the mission a well timed one, though it was determined on with the best intent. But now that Dr. Tupper had gone, it would be unwise to recall him. For his (Mr. Galt's) part, he felt all along that the hearty cooperation of Nova Scotia must be secured to the Dominion, or else

Confederation would be a failure. The opposition in Nova Scotia he believed to be rather sentimental than real. But still, it was highly desirable that nothing should be done that could possibly be avoided to intensify their feelings. He sincerely hoped that the Imperial Government, resting their decision in this matter on the interests of the Empire, would not in listening to the temporary ebullition of discontent embodied in the resolution, do anything which would lead to a dissolution of the Union. There was nothing more certain than that the moment this Dominion was found to be a failure, the moment it became dismembered. That moment the last hope of a separate national existence for Canada was at an end, and they must look forward to gravitating into the neighbouring Republic. The feeling of the House towards Nova Scotia was that of desiring to do them justice. There was not the slightest intention on the part of the people or representatives of the Dominion to do injustice to Nova Scotia, and he trusted the people of that Province would discard such prejudices. He trusted the amendment would be withdrawn. It was one which must be treated by the House as one of non-confidence in the Ministry. He would vote against the amendment, because he did not believe it was one for the interests of the Dominion.

**Mr. F. Jones (Leeds)**, altogether repudiated the notion of the member for Sherbrooke that if the Dominion were a failure it must end in the absorption of the Provinces by the United States. That in any such event as Nova Scotia leaving the Confederacy, the Provinces must gravitate towards the United States was an extremely dangerous doctrine for any member of that House to announce, and especially one occupying the prominent position of the member for Sherbrooke. When the Provinces were all disunited, he (Mr. Jones) did not know that any such feeling had ever prevailed. Even Nova Scotia, when she had her own Legislature was loyal, and he would say that even if Nova Scotia went, and there was every appearance of it, still, that would lead to no such event as annexation; and it was unwise in any member to encourage every discontented person in this country and everywhere else who would rejoice to believe the Provinces were gravitating towards the United States. He denied that there was any such tendency in the Provinces, and as far as he could see, whether Nova Scotia went or not there would not be the slightest tendency to gravitate in the direction pointed out. No, not even if New Brunswick went too

would any feeling of gravitating towards the United States be predominant; and on this point he might add that honourable gentleman spoke of conciliating Nova Scotia, but he for one would never agree for that purpose that American produce should be allowed to come into the Dominion duty free, while the people of the Dominion were shut out from the markets of the United States.

**Mr. McLellan** said the member for Sherbrooke, while condemning the appointment of Dr. Tupper, wished the amendment rejected because he did not desire to vote non-confidence in the Government. The honourable gentleman when he was so anxious to stave off a vote of non-confidence in the Government, while so often expressing his opinion against the Government, was probably only waiting till they were a little deeper in the mire. The honourable member wishes to conciliate Nova Scotia. It would be an act of conciliation to recall Dr. Tupper. The honourable gentleman said the evil was done. If he regarded it as an evil, did he wish the House to adopt the doctrine that an evil once done was not to be corrected? The member for West Montreal had charged the mover of this amendment with stabbing in the dark. He would tell the honourable member that the people of Nova Scotia regarded Dr. Tupper as having ever throughout this whole matter struck below the belt and stabbed in the dark. His appointment had deepened the feeling of hostility in Nova Scotia. As the last drop made the bucket run over, so this act might lead the people into open breaches of the peace. It had been said the quarrel of Nova Scotia was with the British Government. This was incorrect. Its quarrel was with the men who made the British Government believe the people of Nova Scotia wanted the Union. He denied that the Nova Scotia representatives had laboured to excite feelings to the Union before these acts, as it had been since. He did not approve of all the acts of Government, but when a Local Legislature attempted to break up the Union, he did approve of the act of the Government in taking measures to have the Dominion Legislature represented, and he thought Dr. Tupper was the proper person to send.

**Mr. Blake** criticized the speech of the member for Montreal, and said the strongest argument it contained had been answered by the member for Sherbrooke. That argument—the only argument in his speech—was that Dr. Tupper's personal character required vindication; that it would have been a base thing not

to appoint him. Taking different ground, he attacked the member for Centre Wellington as an anti-unionist, as striking below the belt, as stabbing in the dark. To be consistent, he should apply the same language to the member for Sherbrooke. The motion embraced two propositions—that Dr. Tupper should not have been appointed, and that he should now be recalled. The member for Sherbrooke strongly supported the first of these propositions, but opposed the second. The honourable member said it was a motion of want of confidence. He (Mr. Blake) believed it would be treated in that way, and that the majority would be disposed to support the Government, not because they did not agree in the first proposition or second proposition, but because they felt the motion was a censure on the Government whom they were determined to support. With them be the responsibility. He for one was prepared to vote for the motion.

**Mr. Mackenzie** with reference to Mr. McGee's argument, that it was a duty the Government owed to the member for Cumberland to afford him an opportunity of vindicating himself in England, and he could not set the interests of an individual against that of a whole nation. The honourable member insisted that Dr. Tupper should not be sacrificed. He (Mr. Mackenzie) was prepared to go even further than that. He was prepared not only to sacrifice Dr. Tupper, but to sacrifice the Government and all their male relations to propitiate Nova Scotia and preserve the Union. (Laughter). This difficult question which had arisen must be met not only with conciliatory language, but with conciliatory actions. If we desired to retain Nova Scotia in the Union, we ought to remove every just ground of complaint. Mere honeyed words would effect little unless that were accompanied by actions. If it was necessary to make changes in our Legislation we should not hesitate to do so. At present, however, he did not think much practical results would be derived from discussing these difficulties, as events were transpiring in England which might materially effect the dealing with them; but so far as his voice and influence would go, he desired to urge on this question—a policy of conciliation should pervade the whole proceedings of this House and the language of all its members. None would suppose that the people of Nova Scotia would have any objection to what they would deem a just union with the other British colonies to be achieved with their own consent, and he

[Mr. Blake (Durham West).]

was quite sure that in the course of a very few years we would be able so to harmonize all interests in our commercial policy and every other portion of our national policy, as to promote the prosperity of Nova Scotia, but at present we had to deal with the actual difficulty which presented itself. With this view we should remove every just ground of complaint, and if the recall of Dr. Tupper was considered in that light, we should not hesitate to recall him.

**Hon. Mr. Holton** suggested that the amendment should be withdrawn as proposed.

**Mr. Ferguson** objected to the withdrawal of the motion.

**Hon. Mr. Holton** then asked in what condition was the House placed a little ago. The Minister of Militia had asked the withdrawal of the motion, and now with the management of the leader of the Government, the staunchest follower in the House of the Minister of Justice rises and objects to the withdrawal, but since the Government insisted on the vote being taken, he would move an adjournment of the debate in order that a full expression of the opinion of the House should be given on this point.

**Hon. Mr. Smith** strongly condemned the conduct of the Government on this matter.

**Sir John A. Macdonald** repudiated the statement that he had in any way induced the member for South Simcoe to take the action he had done. It was such a statement as the member for Chateauguay was accustomed to make. It was taking such a course as had left that honourable member without a backing, without a follower, without a friend in that House. Notwithstanding years of Parliamentary experience, that honourable gentleman was without a position and was forced to cling to the skirts of the honourable member for Hochelaga. In order to show honourable gentlemen the Government did not wish to shirk the vote, he would consent to the postponement of the debate in order that the matter might be fully discussed tomorrow.

**Hon. Mr. Dorion** did not think there was any need for the excitement of the Minister of Justice. He was glad the adjournment had been agreed to.

**Mr. Mackenzie** regretted the Minister of Justice should have become so excited with respect to the withdrawal. He was quite certain it was the best policy. The full discussion

of this topic which must be indulged in must prove injurious to the Union, and he trusted it would be withdrawn.

**Mr. Ferguson** said if the honourable gentleman was in earnest, he ought to have used his influence with the member for Centre Wellington to prevent the motion coming up. Besides all the harm that could be done by the discussion had been done.

**Hon. Mr. Holton** said he had consented to the withdrawal at the suggestion of the Minister of Militia, but if the House desired it he would not object to the postponement.

**Dr. Parker** said he had intended to accept the proposal of the Minister of Militia and withdraw the motion, and was not, therefore, responsible for the subsequent debate and pressing the motion to a division.

**Mr. Galt** said on many grounds it was desirable there should be a withdrawal.

**Mr. Chauveau** said nothing could be gained by the renewal of the debate, and he hoped the motion would be withdrawn.

**Hon. J. S. Macdonald** took the same view. He thought it best to leave the affairs of Nova Scotia in the hands of its people. They had not, he believed, sought the intervention of voters' members in their affairs in this way, and he hoped the amendment would, therefore, be withdrawn.

**Mr. D. A. McDonald** objected to the discussion being prolonged.

**Mr. Ferguson** said he would consent to the withdrawal if the matter were not to come up again in a substantive motion to the same effect.

**Dr. Parker** said he would not bring the subject up again, if he were allowed to withdraw his motion, as that was the desire of the House.

The amendment was withdrawn and the original motion carried.

**Sir John A. Macdonald**, in accordance with a requisition sent to him, signed by a majority of the members, moved that when the House adjourned at 6 o'clock on Wednesday evening next, it stand adjourned till half-past seven o'clock p.m. on the following Tuesday. Carried.

The House adjourned at five minutes past two.

#### MOTIONS

**Mr. Morrison**, Wednesday, that the petition of George T. Denison, of Toronto, praying compensation for alleged damages sustained by detention of the propeller GEORGIAN in 1865, be referred to a select committee.

**Mr. Fortier**—Copies of reports of the medical men examined in the Provencher-Bois-claire case, with their names, and the amounts paid them.

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## HOUSE OF COMMONS

Tuesday, April 7, 1868

The Speaker took the Chair at ten minutes past three.

**Sir J. A. Macdonald** amid profound silence and attention, and manifestly struggling to repress extreme emotion, which frequently interrupted his delivery, and made him almost inaudible in some passages, rose and said that it was with feelings of pain amounting to anguish that he addressed the Chair. He who only that morning had charmed them with the eloquence, elevated them by his statesmanship and instructed them by his wisdom, the echo of whose voice was yet ringing in their ears, had passed from among them, foully murdered. If ever a soldier who had fallen on the field of battle in the front rank of the fray had deserved well of his country, Thomas D'Arcy McGee had deserved well of Canada and her people. He felt that the unaffected heartfelt sorrow which oppressed them could not but prevent their present proper expression of their feeling, and he himself felt peculiar disability—utter incapability—in attempting to address himself to the subject then, suffering as he did from the sudden and awful loss, not only of one who had been his true and faithful friend—not only of one who had acted with him for some years—but of one with whose varied richness and intellectual gifts, he had also had the happiness to enjoy an intimate communion. By-and-by the House would have the melancholy pleasure of considering the character and disposition of their late friend and colleague, but to-day the shock was too recent, the atrocity too vividly horrible. Kind, generous, one whose heart was open to every man, whose friendship was sincere, and whose quarrels were written in water, he might have lived a long life had he but chosen the path of ease. He had lived a respected life, and had died a heroic death—a martyr to the cause of his country. How easy it might have been for him to sail along the tide of popularity, had he been swayed by no higher aims. But he had been slain—he feared he had been slain—because he had in preference taken the line of duty. He could not help being struck by, and could not

refrain from directing the recollection of the House to a few words which had formed part of the last address which he had spoken there, and the report of which he would read. Mr. McGee had said that “he hoped that mere temporary or local popularity would never be made in that House a test of worth. He that rested simply on popularity, and would risk right in hunting for popularity, would soon find that which he hunted for, slip away from him. Base indeed would he be who would not risk popularity for a good cause—that of his country.” He who spoke those words had gone from us, and it would be long before we should see his like again. “In wit, a man; simplicity, a child.” Every word with which his splendid eloquence expressed his ingenious impulse had been uttered on behalf, and in the direction only of what was right, good and just. He could only say now, on behalf of the Government, that, if he had left them amid so deep felt a regret, they must remember that the blow would fall heavily upon his widow and orphans. These he had left behind him as a sacred legacy, and they would be wanting in their duty to the country, if they failed to accept the sacred trust, and took care to shelter from all risk of want, the dear ones whom he had confided to their care. He concluded by moving that the House, when it adjourned that day, do stand adjourned to the following Tuesday (14th April), at half-past seven, and that the House do then adjourn.

**Mr. Mackenzie** said—In rising to second this motion, I find it almost impossible to proceed. But last night we were all charmed by the eloquence of our departed friend, who is now numbered with our honoured dead, and none of us dreamed when we separated last that we should so very soon be called in this way to record our affection for him who has been thus suddenly cut off. It was my own lot for many years to work in political harmony with him, and it was my lot sometimes to oppose him; but through all the vicissitudes of political warfare, we ever found him possessing that generous disposition, characteristic of the man and his country; and it will be long, as the honourable knight at the head of the Government has said, before we

can see his like amongst us. I think there can be no doubt upon the mind of anyone who has watched the events of the last few years in our country, in connection with events in his own distant native land, that he has fallen a victim to the noble and patriotic course which he has pursued in this country—having been assassinated by one of those who are alike the enemies of our country and of mankind. (Hear, hear). I cordially sympathize with all that has been uttered by the honourable gentleman at the head of the Government in making this motion, and I have no fear that the generosity of Canadians will fail when it comes to be considered what we owe to his memory, and what we owe to his family. I would gladly, if I could, speak for a few minutes regarding the position he held among us; but I cannot do more to-day than simply record my full appreciation of his public character as an orator, a statesman and a patriot, and express the fervent hope that his family, thus suddenly bereaved of him who was at once their support and their shield, will not, so far as the comforts of this life can be afforded, suffer by his death; and that all the consolation that can be given by those who have been long his companions in public life, by that sentiment of universal sorrow which prevails in every heart, will be brought to the hearts of those more immediately connected with him—his wife and children. This is the first instance we have had in our country of any of our public men being stricken down by the hand of an assassin; and grief for our loss and grief for his family are mingled in my mind with a profound feeling of shame and regret that such a thing could, by any possibility, happen in our midst; and I can only hope that the efforts to be made by the Government will lead to the discovery that to an alien hand is due the sorrow that now clouds not only this House but the whole community. (Hear, hear.)

**Hon. Mr. Cartier**—Mr. Speaker,—I will state at the outset that my heart is filled with feelings of the deepest sorrow. I had the pleasure and delight, in common with all the members of the House, to listen last night to the charming eloquence of one who was my colleague in the representation of the City of Montreal; and no one expected at that moment that any one of us should be here speaking to-day on such a lamentable evil as that which befell us immediately after the adjournment of the House. I feel much deep regret at this moment that I am not gifted with the power of speech, that power of

[Mr. Mackenzie (Lambton).]

description, that power of eloquence, which distinguished our departed friend. I could make use of such power to bring fresh before you, Sir, and before this House, in proper language, the great loss we have suffered, the loss the country has suffered, and the loss mankind has suffered in the death of Thomas D'Arcy McGee. Our colleague, Mr. McGee, was not an ordinary man. He was, I may say, one of those great gifted minds whom it pleases Providence sometimes to set before the world in order to show to what a height the intellect of man can be exalted by the Almighty. Mr. McGee adopted this land of Canada as his country, but although this was the land of adoption, he never ceased to love his mother country, his dear old Ireland. In this adopted land of his he did all in his power, in order that his countrymen should be rendered as happy as possible, whether their lot was cast in this country, in Ireland, or in any part of this globe where an Irishman had set his foot. Mr. McGee, though very young, had a great deal of experience. He was connected with political events in Ireland in 1848; and there is not the least doubt that those painful times caused him to give the deepest consideration to those political evils. Though he was, as described by my honourable friend the leader of the Government, a man of impulse, a man of genius, and of wisdom, it is very seldom we meet a man on earth having those fine gifts, who was so judicious as our late colleague. He was educated, as it were, for the benefit of his country. He is no longer among us, and I suppose all of my listeners at this moment will say with me that it has not been given to any one of us to have ever listened to so eloquent a public man. Every one of us shares in the conviction that such happiness, such delight will never be given hereafter to any one of us during our lifetime. He has left us; he has left behind him expressions of his feelings, of patriotism, and an immense amount of evidence that no Irishman on earth loved so much dear Ireland as he did. Mr. Speaker, I cannot but allude at this moment to that foreign organization in the land inhabited by our neighbours. There is not the least doubt that Mr. McGee, by warning the Irishmen of Canada not to join in that detestable organization, rendered the great service that an Irishman can render to his country. (Hear, hear.) He acquired for the Irish inhabitants of Canada the inestimable reputation of loyalty, and of freedom from any participation in the hateful, detestable feelings and doings of the members of that

abominable institution—the Fenian organization. (Hear, hear). Now that he is no longer amongst us, that he has passed from life to death, it is very likely that his death was the work of an assassin in that organization—the work of a brother of Cain. It is not for us at this moment to excite feelings of revenge against the perpetrator of such an abominable act, but everyone of us know this, that if Thos. D'Arcy McGee had not taken the patriotic stand which he took before and during the Fenian invasion of this country, he would not be lying a corpse this morning. At all events, Sir, every Irishman inhabiting the different Provinces of Canada, when they consider the service Thos. D'Arcy McGee rendered to them, in order to induce them not to partake in that Fenian movement in the United States, will lament his death as much as anyone of us. Now, Mr. Speaker, I will not allude to his private qualities. I have known him, and we know that of this world's goods he possessed very little. He was a poor man, but I know myself what feelings of charity swelled his heart; the little he had he was always willing to share with his poor countrymen. Although he was so gifted, although he soared so high above the ablest men in the land, did he ever show a feeling of vanity, did he ever show a feeling of pride, did he ever show by even a word that he was more gifted than anyone else in the land? No; but he used all his great power and ability, modestly, for the good of his native land and his adopted country. I do hope and trust that this great Dominion will not leave helpless his widow and his dear children. He has not been it is true, upon the field of battle; it cannot be said he met the fate of a military hero, but his end was that of a Parliamentary hero. For two or three years he knew the bad passions which existed among certain classes on the other side of the line. Again and again, he received, through newspapers and other means, warning of the fate which he met last night. Well, did that prevent him from continuing his good work of inducing his countrymen to have nothing to do with that detestable organization? No; he laboured on; and now that he is no longer amongst us, we feel that the Irish inhabitants of the Dominion will appreciate the service he has rendered to them, and that they will mingle their tears with ours to his irreparable loss. (Hear, hear).

**Mr. Chamberlin** said, when profound grief such as now reigns in this House weighs down men's hearts, few words are best. Yet I

am loath that we should depart ere some tribute of respect has been paid, some words of regret uttered even in this place on behalf of the fraternity of letters to which the deceased belonged. It is fit it should be spoken even though it came from a member of that which is held to be the lower branch of the literary craft to which I belong, in which, too, our deceased friend has held it no mean honour to win a distinguished place. (Hear, hear). His love of letters and the great diversity of his writings are well known. Of his diligence in promoting the cause of literature, his endeavours to promote a love of letters amid the young men of Montreal and of the whole Dominion, it has been my privilege also to know much. He has made himself known in Canada and abroad as a lecturer, essayist, historian, and poet, with so much distinction that it may be said of him, as of a celebrated countryman of his, "nihil legit quod non rara vis." Others have spoken in fitting terms of the matchless oratory with which he clothed statesmanlike thought; and of his labours to allay intestine strife and promote the highest interests of the country, for which he has lost his life; but the press and literature of Canada must also mourn to-day for their brightest light extinguished, their greatest man prematurely reft from them, as he has been from his country. (Applause).

**Hon. Mr. Anglin** said—I would be unworthy of my position in this House if I did not take this occasion to join in this expression of horror and detestation which I know every member of this House, every man worthy of the name of a man in this Dominion, must feel at the atrocious crime which has been committed. (Hear, hear). I feel peculiarly embarrassed on this occasion, because it has been assumed, and I fear only too correctly, that this foul assassination has been the work of an organization of Irishmen. Not, I trust, of Irishmen belonging to this Dominion, though I think it will not require much intelligence to determine that any Irishman who has enjoyed the free institutions of this country, could not be guilty of such a dastardly act. (Hear, hear). But I cannot help thinking, nevertheless, that as wherever Irishmen are, they are all one people, the crime of one will reflect on them all. I think I may speak on behalf of the whole of the Irishmen of this Dominion, I am sure I may on behalf of those of my own Province, in expressing our utter detestation of this crime. It is an outrage that will probably have a great effect

on the future of this country. None of us can realize its effects yet. The shock is too recent, and some of us can on this occasion give vent to the feelings which overmaster us. Perhaps, after all, this is the highest tribute which we can pay to the man who has gone from amongst us. This must be the most telling mode of showing to our countrymen what our feelings are, and that we all agree in characterizing a crime of this nature. (Hear, hear). I go even further than those who have preceded me, and express the hope that the assassin shall be speedily brought to justice. Not that we shall indulge in feelings of vengeance, but that all the means at the command of the Government shall be put forth to ferret out the assassin wherever he may be concealed, that the death of Mr. McGee may be revenged, and that the supremacy of the law may be maintained. (Hear, hear). I feel myself, Mr. Speaker, quite incapable of adequately expressing my feelings on this occasion; but I could not allow the opportunity to pass without saying these few words. (Applause).

**Hon. Mr. Chauveau** said—I also must pay my tribute of homage to him who has just fallen the victim of a crime of which we have truly said that it was without precedent in the history of our country. I recall the eloquent speech which he made last night, in which one would search in vain for a single word which could wound or irritate in the least degree the feelings of those to whom he particularly addressed himself. (Hear, hear). Those who heard him can bear testimony that his advices and counsels were not given with a spirit of provocation, but on the contrary they were given in a spirit of conciliation and concord. Those who have heard him can truly judge that the spirit which animated him last night in his remarks on the subject of Nova Scotia, and can remember that he terminated by saying that he fervently hoped that this debate would not have any unfavourable results for the country, and would not produce any evils to this Province. A like attempt has happily no precedent in the history of our country, and were it possible for us to console ourselves for the loss which we have sustained in the death of a friend, of an eminent man, of the prince of orators, we would find that consolation in the glory and relate of his death. That death is the baptism in blood of Confederation; and the sacrifice of him who did so much to bring about that Confederation, is a fact which ought to raise us in our own estimation—to make us judge of the height of our mission. If

[Mr. Anglin (Gloucester).]

Mr. McGee has not fallen on the battlefield, his death is none the less glorious, because it is the consummation of a grand idea of a grand principle, that of the union of the Colonies. As the heroes on the field of battle, so the soldiers of grand causes are ever in danger, and great things are never done except at the peril of the life of those who accomplish them; and nevertheless his patriotism made him disdain that danger, and the fear of that danger never caused him to recoil in the struggle which he had undertaken against those whose hand had struck him last night. (Hear, hear). Warnings to him had not been wanting, either publicity through the press or in the sinister form of threatening letters; but his great soul always disclaimed those threats, and nothing detained him in the great task which he had undertaken. Truly if that death is a glorious one for the country, it is a sensible and terrible loss for his family. Even yesterday he presented a petition in favour of the representatives and the family of a hero—that of Colonel DeSalabery. He told me what he proposed to submit and to say to the House to engage it to come to the aid of the descendants of DeSalabery and a few hours later he himself fell a hero, left a family without support, without hopes, without a future. The name of D'Arcy McGee will live in the history of Canada, and his death will mark the death of Fenianism; for never has a cause gained by assassination, and that assassination was the work of Fenianism. No, from Julius Caesar to the Count Rossi down to Lincoln never has a cause succeeded by assassination, and the death of their great men was the signal of the death of the cause or of the party under the blows of which they fell, as the death of D'Arcy McGee will be the signal of the death of the party which exercised its vengeance on him. I think that the murder of the Hon. Mr. McGee will have a happy influence upon Canada, inasmuch as it will force that spirit of disloyalty heretofore prevalent to disappear and inspire a horror of the party which gave it birth, while at the same time it will contribute to the glory and greatness of Canada. As has happily been said, Hon. Mr. McGee never displayed the least vanity or pride himself upon his transcendent talent. Looking at him, he was modest and affable towards all, and never appeared to appreciate his own merit. He also had a generous heart; he was always ready to contribute to every charity or charitable institution. I often met him in Montreal in ceremonies and public celebrations, got up for the purpose of doing

good and instilling charity, and he never refused his aid or refused to draw on the eloquent fund of words which sprung from the bottom of his heart in aid of the poor and orphans. On all these occasions he always seemed to be under the impression that he was only doing what another person would have done, and his good heart was equal to his modesty. The orphans and unfortunates have lost in him a great protector; but he also behind him leaves a widow and some orphans to-day. We must perforce deplore his death. To-morrow, or at another sitting of the House, we will have a duty to fulfil towards his memory and his family—(hear, hear)—and I am happy to see that the Government has already thought of an act of reparation, an act of justice; and I am sure that so far as the Province of Quebec is concerned, whatever sum the Government proposes, that Province will heartily concur in. The honourable gentleman, whose speech was delivered in French, seemed to be considerably effected, and was listened to with marked attention.

**Mr. McDonald (Lunenburg)** said—Mr. Speaker, I feel utterly unable to express the feelings which at this moment almost overpower me. How little did I dream when I heard the lamented deceased last night that it would be the last time this House would listen to him. When we think of the music of that voice, when we think that active teeming brain has ceased forever to animate what is now cold clay. In the presence of this recent horror we all stand aghast. It was my lot to be among those who viewed some political events from different stand-points from that of the honourable deceased, but whatever difference of opinion there may be upon political matters, upon one point there can be no difference. There can be no difference of opinion about the gentle nature, kindly heart, wide charity, that animated Mr. McGee. (Hear, hear). When he departed he left us not his equal behind him. With regard to the heinousness of this monstrous crime that has been committed, I feel unable to express myself; but this I must say, that not only the honour of this Legislature but the honour of this Dominion is involved in the duty of tracing out and punishing the monster who has been guilty of this foul deed. (Hear, hear).

**Mr. Stewart Campbell** said—I cannot allow this opportunity to pass without a few obser-

ventions. It affords me painful gratification to find that, although on other occasions I may differ from other representatives of the Province from which I come, on this occasion we are one in feeling, in heart, and in sympathy; and, Sir, I feel assured that when the fatal intelligence which has bowed us almost to the dust, reaches the Province of which I am a representative, that there will be in that land weeping, and mourning, and lamentation. Sir, the honourable gentleman whose departure we are now mourning, was well known in that Province. He had there secured many warm and sincerely attached friends, not only of one class, but of all classes; and at this moment, when the painful intelligence has reached that country, I feel convinced that from the highest to the lowest they will accord with us in the expression of sympathy and feeling that has here been made to-day. I have had no very long personal acquaintance with the illustrious dead; but I have been a careful observer of his patriotic endeavours to serve the country in which his lot was cast. But if there was nothing else which he has left us as a legacy by which to remember him, the exhibition of his eloquence, of his patriotism, of his philosophy, of his kindness of heart, which he displayed on this floor, must ever endear him to our memories and to the memories of all. I fear that the records of his sentiments last night will not be adequately preserved. I wish they could be preserved in the archives of this country and treasured up in the hearts of the people of this land. There is sound philosophy there, there was good advice, and if in any shape that philosophy and that patriotism of the Province from which I come—I feel there will be presented to that people a legacy of which they will be glad to leave themselves and which in the future history of that country will not be without extensive prints. I am glad to hear that it is the intention of the Government to take care of those who are left. I will not say to the charity, but to the justice of this House. I shall not say anything more. Those who are gifted with eloquence have felt unable to express themselves on this occasion; I can only cordially agree with the motion to adjourn the House.

The motion was then carried, and the House adjourned at 4:05 o'clock, until Tuesday.



# HOUSE OF COMMONS

Tuesday, April 14, 1868

The Speaker took the Chair at half-past seven o'clock.

There were about 80 members present.

## PRINCE EDWARD ISLAND AND MR. MCGEE'S DEATH

By telegraph from Charlottetown, P. E. I.

To the **Hon. G. Cockburn**, Speaker of the House of Commons.

The House of Assembly, Charlottetown, Prince Edward Island, April 13, 1868.

On Motion of the **Hon.** the Colonial Secretary, seconded by the **Hon.** Mr. Haviland, the following resolutions were unanimously adopted:—

The assassination of the **Hon.** T. D. McGee, of the Dominion of Canada, having been reported by telegraph, therefore resolved that this House regards with horror and detestation the atrocious and bloodthirsty act, deeply sympathizes with the bereaved widow and orphans, and sincerely regrets that the Dominion should have lost such an able and patriotic statesman.

*Resolved*—That the Speaker do communicate the resolutions of this House to the Speaker of the Dominion House of Commons, and also to Mrs. McGee.

(Signed) G. WIGHTMAN, Speaker.

## MESSAGE FROM THE GOVERNOR-GENERAL

**Sir J. A. Macdonald** brought down a message from His Excellency as follows:

The Governor-General, deeply impressed with the severe loss the country has sustained in consequence of the murder of the **Hon.** Thomas D'Arcy McGee, and being desirous of marking the sense of the public and private virtues of Mr. McGee, and of affording relief and assistance to his afflicted family, recommends to the House of Commons to enable His Excellency to make such provision for the widow and family of the **Hon.** Thomas D'Arcy McGee as to the liberality of Parliament may seem proper.

Government House, Ottawa, 14th day of April, 1868.

## THE NEW MEMBER FOR LINCOLN

**Mr. T. R. Merritt**, the newly-elected member for Lincoln, was introduced by Messrs. Rose and McDougall, and took his seat.

## A SELECT COMMITTEE ON BANKING

**Hon. Mr. Rose** moved that a Select Committee be appointed to consider the subjects of Banking and currency in the Dominion, and to report from time to time with power to send for persons, papers and records, to be composed of Messrs. Campbell, E. McDonald, Smith, Tilley, Cartier, Chauveau, Galt, Holton, Rose, Blake, Gibbs, Howland, J. S. Macdonald, Mackenzie and Street. He said the subjects which it was proposed to refer to the Committee for consideration were of the greatest importance. There could be nothing more essential to the prosperity and material well being of the country than that the banking interest should be established on a sound and satisfactory basis. The question at the present time had to be considered, not only in view of the fact that a diversity of system prevailed in the various Provinces, but in view of this fact also, that the charters of the existing banks in Ontario and Quebec expire in a short time—only continuing to 1870—to the end of the next ensuing session of Parliament. There were at present six chartered banks in operation in Ontario, 11 in Quebec, 4 in New Brunswick and 5 in Nova Scotia, besides the Bank of British North America, which might be considered as common to the whole Dominion. There were thus 27 banks in operation under existing charters. Besides these, 12 charters had been granted for other banks which might yet be put in operation, making a total of 39 bank charters. The paid up capital of the banks in Ontario and Quebec is \$30,950,000. The charters in New Brunswick and Nova Scotia would expire at various times from 1871 to 1890. The aggregate capital of the nine banks is \$1,880,000. He thought it extremely desirable, and an object to be aimed at by the Committee, that there should be a uniformity in the system of banking throughout the Dominion, more especially as regarded the liability of shareholders and the security of the public. In the charters of all the Ontario and Quebec banks, excepting the Bank of British North America and the Banque du Peuple, there was a provision that the shareholders should be liable absolutely to double the amount of their stock. It might be that there was no

adequate provision in the charters for the endorsement of this liability, but at all events that was the principle that there should be double liability. There was a provision also that they should hold in their vaults a certain amount of specie and Government securities in proportion to their circulation, and a general provision that the total liabilities shall not exceed three times the amount of their capital. On these points, in the New Brunswick and Nova Scotia Bank charters, there was a very considerable diversity of provision. In New Brunswick in some of the charters it was provided that the total liabilities should not exceed twice the amount of their capital. In some there was not the double liability clause; in none was there the requirement of a certain amount of specie and Government securities against circulation. In most of the Nova Scotia charters there was the provision that the total liabilities should not exceed three times the amount of the capital; but as regarded the shareholders, the liability was not absolute as in Canada, but only for consequences of maladministration, and there was an absence of the requirement of a certain amount of specie and Government securities against circulation. In Nova Scotia also the Government notes were issued simply on the credit of the Government without any provision for the holding of securities to cover them as in Canada. It was undesirable that such a diversity should exist for any period longer than was absolutely necessary. There were certain points on which he thought the Committee and the House would be unanimous; first, for both circulation and deposits there should be the fullest measure of security given to the public, and this should be provided according to a uniform system throughout the Provinces. The next, and perhaps not least important system, should be such as would meet the commercial wants of the country. Owing to the peculiar character of the trade of this country, we had a system of expansion and contraction at certain seasons of the year, which perhaps did not exist anywhere else, and perhaps adequate provision should be made to meet that exceptional state of things. He would not prejudge the case, or express an opinion as to the principle on which this should be done. Some thought the whole currency of the country should be in the hands of the Government; others thought it should be on a principle somewhat analagous to that of the national banks in the United States, which issue currency on the security of a certain amount of specie or Government securities. He abstained from

[Mr. Rose (Huntingdon).]

giving an opinion on this point, desiring that the Committee should approach the subject entirely untrammelled. He would say, however, that there was apparently no difference of opinion among bankers as to this, that the amount of reserve, both as regards deposits and as regards circulation. The bankers examined in 1859 and those examined before Mr. McPherson's Committee all agreed as to this. Mr. Rose then stated that the Committee would derive valuable assistance from the labours of the various Committees of the English House of Commons on the subject of banking and commerce. He added that in naming the Committee, which by a rule of the House could not comprise more than 15 members, he had studied to secure the fairest possible representation of all sections and interests. He did not think it would be right that such a Committee should be composed only of men having a decided opinion on one side or the other. The right course was to bring men of opposite views together that they might compare their views and endeavour to arrive at the true policy to be pursued.

Dr. Parker asked whether the question of interest was to be referred to the Committee.

Hon. Mr. Rose—No.

Hon. Mr. Holton said the Finance Minister in moving this Committee had taken what was obviously the proper course. He regretted, however, that it had not been moved earlier in the session. For any practical purpose it might as well now be postponed till next session.

Hon. Mr. Rose said he had prepared some work in advance for the approval of the Committee, and if the Committee approved of the questions to be submitted to the various interests of the country they might be sent out perhaps within a week, and a great mass of information received in the shape of both oral and written evidence before the House rises.

Mr. D. A. McDonald regretted that the Committee had not been moved earlier, but thought a good deal of work might still be done by it this session.

The motion was then carried.

#### DUTY ON BRITISH COPYRIGHT BOOKS

Hon. Mr. Tilley moved that on Thursday the House resolve itself into Committee of the Whole to consider a resolution declaring it



expedient to fix the rates of duty on British copyright books imported into Canada, and with regard to which notice had been given to the Commissioner of Customs as required by the Imperial Act. Carried.

#### LIEUTENANT-GOVERNORS' SALARIES

The House then went into Committee of Supply—Mr. Jackson in the Chair.

The first item was \$30,000 for the Lieutenant-Governors of the Provinces.

**Hon. Mr. Holton** rose to inquire why those appointments had not been filled up by the Government as provided for by the constitution; the Government had the power, and he held that the power to make the appointment carried with it the obligation to make the appointment. The Government was bound at the earliest moment after the meeting of Parliament to fill up these offices, and this was, he thought, a fitting time to inquire why the Government had not made the appointments.

**Sir John A. Macdonald** explained that the offices were all filled by gentlemen who had performed their duties satisfactorily. Sir N. Belleau, the House was aware, had received the appointment for Quebec, and in due time when the pleasure of the representative of the Sovereign became known the other appointments would be made.

**Mr. Mackenzie** said that if these were to be filled by Colonists, as was the original intention, the sooner they were filled the better. It was not creditable to the Government now in power in that House that this very serious delay should take place.

**Mr. Blake** contended that these appointments ought to have been made long since.

**Mr. D. A. McDonald** objected to the salary paid to the Governor-General, \$50,000, as being double that paid to the President of the United States. The salaries of the Lieutenant-Governors were also absurdly large. No such salary as they received was paid to any Governor of any State in the United States except California. Why this new Dominion, just struggling into existence, should be saddled with these enormous salaries, he could not divine.

**Mr. Connell** argued that it was useless to talk of retrenchment and cutting down the salaries of the employees of that House, when such immense sums were needlessly voted away *en bloc*.

**Mr. McDonald (Lunenburg)**, took a similar view of the case, and thought the Dominion was outstripping all the bounds of prudence by giving such salaries as could not be matched even among their prosperous neighbours across the line.

**Mr. Blanchet** did not believe in the parallel, and was not inclined to follow in the footsteps of the United States.

**Mr. Jones (Halifax)**, thought the salaries of all the Lieutenant-Governors ought to be the same.

**Hon. Mr. Rose** maintained that the duties devolving on the Lieut.-Governors of Ontario and Quebec were altogether more onerous than that which fall to the lot of the Lieut.-Governors in Nova Scotia and New Brunswick.

**Mr. Mackenzie** was fully convinced this was the case. It was false economy to attempt to put a Governor on a couple of thousand dollars a year. For his part, he did not think \$8,000 too high, and thought there might be good reason shown for making it \$10,000.

**Sir John A. Macdonald** said there was all the difference between one of the Lieut.-Governors of the Dominion and the Governor of any of the neighbouring States. In the former case, the Governor, as a representative of Monarchy, had a far different set of duties, and was placed in a position which entailed a far larger outlay than was necessitated by a Governor's position in the neighbouring republic.

**Mr. Jones** was not disposed to quarrel with the salaries of the Lieutenant-Governors, but thought they might learn many lessons of economy from the neighbouring Union. If they desired to establish the Government of the Dominion, they must make it popular.

**Mr. D. A. McDonald** pleaded for economy, as, partly from the extravagance which prevailed in the administration of affairs, hundreds of the young men of the country were emigrating to the States, and imbibing there and bringing back to Canada manners, habits and customs, which no lover of the Dominion desired to see introduced into it. He objected to heavily increasing the public burdens, as a most unwise policy.

**Mr. Pope** would go as far as any one in the House for economy, but was convinced that the salaries of the Lieutenant-Governors were not too high. The salary of the Governor-General was perhaps a little too high.

**Hon. Mr. Cartier** hoped the member for Glengarry would not press his objection.

**Hon. Mr. Fisher** was satisfied a new spirit must animate the country, and that the general spirit of extravagance abroad must be checked. Sooner or later there must be economy. No country or Government could long be carried on, on the expensive scale which prevailed here.

**Dr. Parker** thought they were commencing on a scale altogether too extravagant. In regard to the Lieutenant-Governors, they ought clearly to have been appointed long before this. He would vote for every motion which could fairly be sustained on the ground of economy.

**Mr. Abbott** believed that efficiency was also an important consideration. The salary of the President of the United States had been cited as an example of economy, but in addition to his salary, see the large sum voted towards his house expenses. The item under the head of gas and house furnishing he found \$72,000, and for firewood \$8,000 or \$10,000; and in this way enormous sums were voted to the President.

**Mr. Rymal** thought that, as usual, if the matter came to a vote, he believed he would be found on opposite sides with the honourable member for Leeds and Grenville. That honourable gentleman had a very noticeable habit of frequently speaking one way and voting another. (Laughter).

**Mr. Jones** repudiated the idea, and maintained that his vote always went in accordance with his speech.

**Mr. Rymal** went on to say that undoubtedly they needed to practice all their economy in carrying on the affairs of the new Dominion, and they ought to do all that lay in their power to check the emigration of their young men to the States which was undoubtedly going on.

The item was then carried, as also the next item—\$4,957.80 additional to the late Governors of Nova Scotia and New Brunswick.

### GOVERNOR'S SECRETARIES

On the next item, \$8,370 for the Governor's Secretaries' offices—

**Hon. Mr. Rose** explained that that was not a larger amount than had been appropriated for the Civil List in the old Province of Canada.

**Mr. Blake** objected to keeping up expenses merely because there had been similar expenditures by the Province of Canada. If that was to be the principle, then the fears expressed, that the Dominion would prove a most extravagant piece of machinery would be found correct enough.

**Sir J. A. Macdonald** upheld the argument of the Finance Minister, and said that as large an appropriation was made for the Civil List years ago, when the service to be performed was not one-fourth what it was at present.

**Hon. Mr. Smith** said that the Governor's Secretary was here getting a salary of \$3,000, whereas the Judges in the Lower Provinces received but 600 pounds. Altogether this Dominion was, he feared, going to be too costly.

**Mr. Mackenzie** objected to the Secretary's salary as too large. The expense in this single department was almost in excess of that required for carrying on the whole Government of Ontario.

The item was carried.

**Hon. Mr. Rose** said that as it was late he would move that the Committee rise and report progress.

**Mr. Mackenzie** hoped that after this Government would be prepared to give full explanations in Committee of every item.

**Hon. Mr. Holton** said he had taken no part in the discussion as three-fourths of the money represented by these estimates had already been spent under the vote of credit obtained by the Government, but in a few days they would expect further estimates which he would discuss.

**Mr. Mackenzie** believed in neglecting no opportunity of discussing these matters.

The Committee rose, reported progress and obtained leave to sit again to-morrow.

The House adjourned at midnight.

## HOUSE OF COMMONS

Wednesday, April 15, 1868

The Speaker took the Chair at three o'clock.

### PRIVATE BILLS

**Mr. Morris** moved, in accordance with the report of the Private Bills Committee, that the time for receiving petitions for private Bills be extended to the 23rd instant; for receiving private Bills to the 30th instant; and reports on private Bills to the 14th of May. Carried.

### PROVISION FOR MR. MCGEE'S FAMILY

**Sir John A. Macdonald** moved that an humble address be presented to His Excellency, the Governor-General, to return His Excellency the thanks of this House for his gracious message, to assure His Excellency that they deeply participate in the severe loss the country has sustained in consequence of the murder of the Hon. Thomas D'Arcy McGee, member of Parliament for the electoral district of Montreal West, of which most atrocious act they cannot in terms sufficiently strong express their abhorrence, and being desirous of marking their sense of the public and private virtues of Mr. McGee, and of affording relief and assistance to his afflicted family, they beg leave to assure His Excellency that they shall feel it a grateful act of public duty, under the melancholy circumstances of this afflicting case, to enable His Excellency to make such provision for the widow and family of the Hon. Thos. D'Arcy McGee as may be consistent with the justice and liberality of Parliament. He said he did not think any remarks were required in support of the resolution he had just moved. The feeling of the country had been most unmistakably expressed in the deep sorrow and universal wail which had passed over it from one end to the other. The feeling was unanimous that Parliament would be wanting in its duty to the country if provision for the widow and family of Mr. McGee were not made by the public. (Hear, hear).

**Hon. Mr. Holton** said another opportunity would be afforded the House of expressing those feelings which he was sure were enter-

tained by every member of the House on the subject of this resolution. He simply rose to say that he entirely approved of the step the Government had taken, and whatever might have been the personal or party relations in which as members of this House they might have stood to the lamented gentleman who was the subject of this address, and who had been taken from them in so atrocious a manner, he was fully persuaded that their constituents would approve of adequate provision being made for those he had left behind.

**Mr. Mackenzie** said so far as the views of those with whom he usually acted in this House were concerned, they entirely approved of the proposition brought down by the Government, believing that it was a necessary consequence of the deplorable tragedy of last week, that the State should take charge of those who had been bereft of their natural supporter. Indeed, such was the position held by their lamented colleague, and so many friends had he in all quarters, that if the State had failed in its duty to make provision for his widow and family, ample provision would have been made for them by private friends. When the House came to consider the amount to be granted, he had no doubt the gentlemen on his side would be able fully to agree with the Government.

**Mr. Morris** said it was well known that Mr. McGee was a man of genial sympathies, warm heart, and open hand, and not one likely to accumulate this world's wealth. He hoped, therefore, Government would propose such a sum as would enable the widow to discharge the liabilities which might be found to exist against the deceased, and at the same time leave her in a position of such comfort as the country would desire to see her placed in.

**Hon. Mr. Gray** said no doubt another opportunity would be afforded to the members of this House to express themselves very fully on the subject. At present he only rose to say, as coming from a Province in which the labours of Mr. McGee were not so extensively known and perhaps his personal influence not so strongly felt as in Ontario and

Quebec, that he believed the feeling of the Maritime Provinces would be unanimous in support of the step about to be taken by Ministers. The telegraph had brought tidings of the deep feeling of horror and detestation caused there by the intelligence of his murder, and the universal manifestations of respect for his memory, and the representatives of Ontario and Quebec might, therefore, rest satisfied that they did not stand alone in giving ministers their cordial approbation and support with reference to this measure. He hoped the appropriation to be made would be a liberal one, suitable to the circumstances and worthy the position of the Dominion.

The motion was carried.

**Sir John A. Macdonald** moved that a committee be appointed to draw up an address, and that it consist of Messrs. Cartier, Mackenzie, J. S. Macdonald, Chapeau, McDonald, Campbell, Tilley, Smith, Gray, Holton, Dorion, Chamberlin, Morris, and the mover. Carried.

An address couched in language almost identical with that of the resolution was reported by the Committee, and having been read a first and second time, was ordered to be engrossed, and to be presented to His Excellency by such members of this House as are of the Privy Council.

**Sir John A. Macdonald** moved that this House will, on Friday, resolve itself into Committee of the Whole to take His Excellency's message into consideration. Carried.

## QUESTIONS

### MARITIME EXHIBITION AT HAVRE

**Mr. Huot**—Whether the Government have received an invitation from France, directly, or through the English Government, to send a delegate to the International Maritime Exhibition at Havre; and whether it is the intention of the Government in any case, to send a person to represent thereat the shipbuilding interests of this country.

**Sir John A. Macdonald** said the Government had not received an invitation from France to send a delegate to the International Maritime Exhibition at Havre, and that they had not yet resolved to send a person to represent the shipbuilding interests of this country.

**Mr. Sproat**—Whether it is the intention of the Government to make provision in the estimates about to be submitted, for the pay-

[Mr. Gray (Saint John City & County).]

ment of the proportion due by the Government for alterations and additions made in the jail in the County of Bruce, pursuant to the instructions of the Prison Inspectors, under Clause 21, Chap. 110, Cn. Statutes of Canada?

**Sir John A. Macdonald** said this was a matter which belonged altogether to the Government of Ontario, and the fund out of which such a payment might be made had been handed over to that Government.

### WELLAND CANAL

**Mr. McCallum**—Whether it is the intention of the Government to have the works on the Welland Canal completed, so as to feed from Lake Erie, by the opening of navigation in the Spring of 1869?

**Hon. Mr. McDougall** said the contract for the work had been signed, and it would be completed as rapidly as it was consistent with not interfering with the navigation of the Canal in the meantime, or endangering the banks of the Canal. It was the intention to complete it, if possible, between this and next season.

### THE ARBITRATORS

**Mr. Blanchet**—Whether it is the intention of the Government to introduce during this part of the Session, a measure to allow of an appeal to the ordinary tribunals from the decision of the Official Arbitrators?

**Hon. Mr. McDougall** said it was not the intention of Government during this session to introduce a measure to allow an appeal to the ordinary tribunals from the decision of the Official Arbitrators.

### THE MERCHANTS' BANK

**Hon. Mr. Abbott** introduced a Bill to confirm the amalgamation of the Commercial Bank and the Merchants' Bank.

### TRUST AND LOAN CO.

**Sir John A. Macdonald** introduced a Bill to confirm certain deeds given by the Trust and Loan Company of Upper Canada.

### BUILDING MERCHANT VESSELS

**Mr. Huot** moved the appointment of a special committee to inquire into the general condition of the building of merchant vessels in the Dominion of Canada. Carried.

### FISHERIES COMMITTEE

Mr. Fortin moved to add Mr. Beatty and Mr. Cowan to the Committee on Fisheries and Navigation. Carried.

### CARILLON AND GRENVILLE CANAL

Hon. Mr. Holton, in the absence of Hon. Mr. Dorion, moved an address for the plans, specifications, etc., relating to the Carillon and Grenville Canal. Carried.

### N. S. GOLD DISTRICTS

Mr. Blanchet moved an address for reports of the official geological survey with reference to the gold districts of Nova Scotia. Carried.

### JOLIETTE ELECTION

The names of the committee appointed to try the Joliette election—Messrs. Tremblay, J. J. Ross, Stirton, J. S. Ross and Scatcherd, were called with a view to their being sworn, at 4, and subsequently at 5 o'clock, but the swearing of the committee was prevented by the absence of Mr. J. J. Ross.

Mr. Walsh moved that Mr. Ross be taken into custody of the Sergeant-at-Arms. Carried.

### INTERCOLONIAL RAILROAD

Hon. Mr. Holton inquired if any information had been received from the surveying party sent out to procure further information respecting the proposed Intercolonial Railroad. He had been informed that the Minister of Customs had received some information from one of these parties that were detached to explore the frontier line, and as the time has elapsed during which the Government proposed to get further information to enable them to decide in this matter, he thought it not improper to ask whether the information had been obtained, and, if so, when it would be submitted to the House.

Hon. Mr. McDougall said that to his knowledge no information such as that alluded to had been received by the Government. Private parties accompanying the expedition might have communicated with their friends as to where they were, but that was all, except the information that Mr. Fleming's party had been divided into eight, and stating where they were.

Hon. Mr. Holton explained that he made the inquiry not for himself, but on behalf of other members who had heard that some

such information as he had spoken of had been received by the Minister of Customs.

Hon. Mr. Tilley said he had received a private dispatch from a party in the survey, stating the result of his examination of fifteen miles they had passed over. That had been communicated to him, not as a member of the Government, but in his private capacity.

Mr. Mackenzie—What was it? (Laughter.)

### COMMITTEE OF SUPPLY

The House went into Committee of Supply again—Mr. Jackson in the Chair.

The items for the Department of Privy Council and the Department of Justice were passed.

On the item for the Department of Militia, \$19,750.

Mr. Mackenzie objected to the appointment of a Deputy Minister of Militia as unnecessary, in addition to the large military staff appointed to aid the Minister.

Hon. Mr. Cartier said that the Militia Department would be of more importance under the new system, on account of its greater scope, than formerly; hence additional assistance was of great moment. There was necessarily a larger expenditure of money in that department than any other, and a division between the civil and military portions of it was absolutely needed. The responsibility of the expenditure connected with this department under the new system was borne by the Minister at its head, and he would keep down the expenditure in every way suitable with the efficiency of this branch of the administration of public affairs. Under the old system, the Governor-General was Commander-in-Chief; under Confederation, it was felt that to have the Governor of each Province a Commander-in-Chief would work well, and the command had been vested in Her Majesty and the Governor-General, as her representative in the Dominion. This new state of things, he thought, would be a great improvement. As to Col. Powell assuming his (Mr. Cartier's) duties, that officer could not do so as he had already a great deal to do, and would be still more busy in the future. In the department of militia proper, he (Mr. Cartier) would inform the member for Lambton that there was but a deputy, a couple of clerks, a messenger and himself (Mr. Cartier); so that the staff was anything but large, and was indeed the same staff precisely which he had when Attorney-General for Lower Canada.

**Mr. Johnson**, though a strong supporter of the Government, would not advocate their course in this militia matter. The fact was this department was possibly more lavish of silver than they would ever be of lead in the defence of the Dominion. He complained of the number of employees and enormous expenses connected with the present system. The staff they now had was far beyond their requirements, and at all times his voice would be raised against such extravagance.

**Mr. Mackenzie** hoped when the time came for the honourable gentleman who had just spoken to record his vote, it would not be found at variance with his speech. To come to the remarks of the Minister of Militia, he (Mr. Mackenzie) found that the expense under the new system, instead of \$33,000 for the Militia Department, would be over \$51,000. As to the Civil branch, he could not find out any duties appertaining to it unless communicating with the Lower Provinces. What there could be for this army of clerks to do, independent of those concerned with the Military branch, he could not comprehend. He never heard that the officers in charge of the Department under the system in the late Province of Canada were over worked. The additional duties now devolving on the Department were very little, and yet the expenditure connected with it was nearly double. It did seem extravagant that the expenses of that department should rise in one year from \$33,000 to \$51,000, without any just cause for such an extraordinary increase being shown.

**Hon. Mr. Cartier** replied, in the Militia Department proper there was but the staff he had mentioned. With regard to the Pay Department, it was separate, and under charge of Captain Berry, and here there was no increase from the appropriation of 1866. So it was with the store branch; in reality all the excess in the Departmental expenses occurred in the salaries of the Minister at the head of the Department and his deputy.

**Dr. Parker** said that here, without any change in the old system, a vast increase in the expenses of the Department had been unquestionably made—whether under the head of civil or military branches, it came to the same thing in the end. The bill of costs had been immensely and unnecessarily swelled. It appeared to him that the amount set down for administering the affairs of the department was very extravagant. Then he would call the attention of the House to the fact that during the Fenian raid a number of

officers had been temporarily appointed, but not one of them had ever been removed.

**Hon. Mr. Holton**, with respect to the appointment of Deputy Minister of Militia, would say that no case had been made out for it. He quite agreed with the Minister of Militia as to the necessity of organizing a new system, with a responsible head. But as to the Deputy, the value of his services was very doubtful. Who was he? What were his qualifications? Why not make Deputy Adjutant-General Powell, or Mr. Paymaster Berry, Deputy Minister of Militia. There certainly seemed no reason for the present appointment.

**Hon. Mr. Cartier**, in reply to the member for Centre Wellington, said \$53,000 were not called for. The present vote called for was only \$19,700, and the only additions were the salaries of the Minister and his Deputy; as to the officers temporarily appointed during the Fenian raid, they were not permanent, as stated by the member for Centre Wellington. They merely held their appointments temporarily yet. (Loud laughter). Yes, that was the case; but their temporary appointments would cease when his (Mr. Cartier's) Bill came into operation.

**Hon. Mr. Holton**—Then they will become permanent. (Laughter).

**Hon. Mr. Cartier**—No; some of them might be re-appointed, but not all of them. The statement of the member for Chateauguay that Colonel Powell might discharge the duties of Deputy Minister of Militia, could not be carried into practice, for Col. Powell was altogether a military officer, and could not perform the civil duties. As to the present Deputy, he was a man eminently fitted for his post.

**Mr. Blake** agreed with the proposition that a division of labour was a very good thing, but if it was to be accomplished at an expense of nearly double that formerly required, then he was not certain the change was a good one, especially when no explanation made by the Minister of Militia satisfactorily accounted for the increase. That honourable gentleman had detailed to them that his department had been sub-divided into three branches besides his own, and that being the case, he (Mr. Blake) could not possibly imagine what duties remained to be performed by the Militia Department proper, as the Minister had styled his division. (Hear, hear). There could really be nothing whatever left

for the honourable gentleman's division to employ itself at, and yet it was composed of the Minister himself, a deputy, and two clerks. The only reason assigned for the appointment of the three latter was that they had been in the honourable gentleman's service when he discharged the duties of Attorney-General for Lower Canada. (Laughter). The measure before the House would undoubtedly entail a large additional expense without any justification.

**Hon. Mr. Rose** contended that the estimate of the departmental expenses of the militia department, namely \$51,690, exceeded that of last year by only \$6,000, besides the salaries of the Minister of Militia and his Deputy. The estimate for this year included also the salaries of an Adjutant-General and a Provincial naval officer.

**Mr. Mackenzie** said the number of deputies of the Adjutant-General was greater in the late Province of Canada than it would be under the new Bill. The honourable gentleman should account for the decrease in each expenditure that would be thus effected. The appointment of a medical officer for the militia was preposterous. Suppose a militia man was injured at Sarnia and another at Halifax, how could the medical officer attend to them both?

**Hon. Mr. Cartier** said if the member for Lambton had seen the certificates of medical men from all parts of the country as to parties claiming compensation for injuries to those who had been called out in defence of the country, he would have agreed that it was a great economy to the department to have a medical officer possessing its confidence to supervise all these accounts.

**Hon. Mr. Rose** said some of the salaries now objected to were included under the heading "contingencies," which in 1866 amounted to \$58,000.

**Mr. Blake** called attention to the provision now made for the first time for a private secretary to the Adjutant-General at a salary of \$1,200.

**Hon. Mr. Cartier** contended that it was necessary for an officer having so many duties to perform as the Adjutant-General to have the assistance of a private secretary.

The item was agreed to.

After recess.

**Hon. Mr. Holton** rose and expressed the hope that in the preparation of the estimates

for the coming year (1869) the Government would see that the unnecessary expense in the Secretary's as in the Militia Department would be done away with. It was a most costly piece of extravagance, and absolutely indefensible on any grounds having weight with the House.

**Hon. Mr. Rose** maintained that there was an immense amount of work pertaining to the Militia Department, such indeed as none but those acquainted with the work of the department could have any idea of. Besides, the Government contemplated an entire reorganization of the Civil Service, and the House would see that all that could be done in the way of economy by the Government would be done.

The item of \$35,000 for the Department of the Secretary of State for Canada then passed.

On the item for the Department of the Secretary of State for the Provinces, \$13,070,

**Hon. Mr. Langevin** said he had reduced the expenses of his Department as low as he possibly could consistent with the due performance of the duties.

After some conversation, the item was agreed to.

On the item for the Department of the Receiver-General, \$20,500,

**Hon. Mr. Holton** expressed the opinion that this office as a separate department like those of Minister of Agriculture and Minister of Fisheries, were comparatively unnecessary. They might be looked upon as Ministers at large. The Minister of Justice had himself stated that the duties of Receiver-General were merely of a bookkeeping nature. He (Mr. Holton) held that there should be only such Ministers as were absolutely necessary for the public service. He would not have a certain number of Ministers merely because there was a certain number of Provinces to represent, or a certain number of public men to provide for. He might remark with reference to two other offices newly created, those of Minister of Customs and Minister of Inland Revenue, that the creation of those two offices where there was only room for one, and that a subordinate office, had placed two prominent men in a very invidious, not to say degrading position, in the eyes of the country. A Treasury Board composed of four co-equal Ministers was an absurdity. There might be such a board forming a sub-committee of the

council for administrative purposes, but for such a Board as that now constituted there was no precedent. In England there were a number of subordinate ministerial offices, as President of the Board of Trade, Secretary of Ireland, etc., but their subordination was marked by their having smaller salaries than the first class Ministers. If in Canada also we were to have subordinate Cabinet offices, we ought also to have a scale of salaries commensurate with the unimportance of their positions. If the salary of a first class Minister was to be \$5,000, let the salaries of Minister of Customs, Minister of Inland Revenue, etc., be \$3,000.

The item was agreed to.

On the item Department of Customs, \$23,000,

**Mr. Oliver** said the expense of collecting the customs revenue was \$20,000. He thought a large number of the inland ports might be abolished. If this were done, there would be a great saving of expense, without any detriment to the public service. If some means were not taken to reduce the expenditure, dissatisfaction with Confederation would grow up in other quarters than in the Maritime Provinces. The people had been told that there would be cheap Government under Confederation. When it came out that the Governor-General's salary was to be \$50,000, this was the first indication they had that they had, perhaps, been deceived on this point. In these estimates he saw \$122,000 for Rideau Hall, including \$30,000 for furniture. Such extravagant items would produce a feeling among the people towards our present system far from satisfactory.

In reply to **Hon. Mr. Smith**,

**Sir John A. Macdonald** said it was not the intention to fill up the offices of Secretary for the Provinces and President of the Council, but if political exigencies justified such a step, they would not hesitate to take it. If fifteen or sixteen Ministers would facilitate the working of the Union, they would not hesitate to make the additional appointments.

**Hon. Mr. Smith** did not think that the appointment of additional Ministers would bring over Nova Scotia to the side of Union. He proceeded to refer to calculations published by an employee in the customs department to show that New Brunswick had not suffered very much by the recent tariff charges. He questioned the propriety of having a party paid out of the public chest for making such

[Mr. Holton (Chateaugay).]

fallacious calculations. He thought there were more employees in the Customs Department than could be necessary. Perhaps the Minister of Customs would state what office was filled by the gentleman he had referred to.

**Hon. Mr. Tilley** said the gentleman alluded to was Assistant Commissioner of Customs, at a salary of \$2,000, and went on to specify the duties belonging to the Department to show that there was work enough for all the employees. He understood the member for Westmoreland had said that he (Mr. Tilley) had stated before the Confederation that the expenditure of the Union would not exceed eleven and a half millions, whereas actually it was seventeen millions; what he (Mr. Tilley) had said, was that certain expenses of the Dominion would not exceed eleven and a half millions, and he said so still; and going further, he had said that the people of New Brunswick paying \$3.20 per head of taxes, would not pay a cent more under Confederation, and he was at this moment prepared to show that the whole people of the Dominion were not assessed in Customs and Excise, and stamps and bank dues, over \$3.20 per head. Mr. Tilley then went over the items in the estimates, selecting those which he said would not exceed eleven and a half millions, and showing that they actually summed up \$11,409,000, the difference between this and the \$17,000,000 was made up of railway expenditures, payment of debt, cost of collection, etc., etc. He agreed with the member for Oxford that as regarded the expense of collection, it should be reduced so far as consistent with the efficiency of the public service. He did not know, however, that the number of ports could be reduced to the extent urged by that honourable gentleman.

**Hon. Mr. Smith** said the Minister of Customs took the ground still that the people of New Brunswick were not paying more in the shape of taxation than before Confederation. He (Mr. Smith) thought it was an insult to the intelligence of the people of New Brunswick to tell them so. The honourable gentleman had told the people there that the North-West question would not be brought up for ten years, and not then until the finances would permit. Did he say so? He paused for a reply.

**Hon. Mr. Tilley**—That is not true.

**Hon. Mr. Smith**—Well, did he not say that that question would not be brought up for ten years, or at all events until the finances permitted?



**Hon. Mr. Tilley**—That is correct.

**Hon. Mr. Smith**—Well, the North-West resolutions were proposed and adopted before the House had any knowledge or any statement as to the finances at all. He would ask the honourable gentleman if he did not tell the people that their taxation would be diminished by Confederation from \$3.20 to \$2.75 per head? That there would be no stamp duties, and that there would be no increase of the duty on tea. In New Brunswick there was a strong feeling of dissatisfaction prevailing, which mainly arose from the disappointment of the expectations to which the promises of the honourable gentleman and those who had acted with him had given rise in his own constituency of Saint John and elsewhere.

**Hon. Mr. Tilley** said he hoped by and by to go to Saint John, and to be in a position to dispel the erroneous impressions which the member for Westmoreland and others had inculcated. So soon as relieved of his duties in Parliament, and so soon as he obtained the public accounts, as to the figures in which there could be no question, he would go down and would risk his position before his constituents, if he could not show that the people of New Brunswick had not paid and would not pay more money than they did in 1866, or more than they themselves paid into the Treasury of the Dominion.

**Hon. Mr. Smith**—That is a prediction.

**Hon. Mr. Tilley** said he would prove what he had stated when he had the official documents. Nay, more, he would prove that while the people of New Brunswick had had \$45,000 more voted by the Local Legislature for roads, bridges, education, etc., and had received \$700,000 more for railways, the interest on which was \$42,000, they had not paid a dollar more than they did before. He had stated that \$2.75 per head would be sufficient for the expenses of the Dominion, and that at all events \$3 would cover them. He had said further that at no period in the history of the Dominion, even with the construction of the Intercolonial Railway if built economically, would the expense exceed \$3.20 per head; and that was his opinion still. He denied that he had ever stated that stamp duties would not be imposed. As to the duties on tea and sugar, he had said that the members from the Maritime Provinces numbering 34 would make their influence felt, and that the opinions and wishes of the people of the Maritime Provinces would have due weight in this Parliament. He had said also that while the

tariff would have to be remedied as the home market for home manufactures would be enlarged, and while the excise taxes on some articles would be increased, yet the taxes as a whole would not be increased, and this was a position he still maintained.

**Mr. McLellan** contended that there must be a fallacy in the position assumed by the Minister of Customs, otherwise why should the Minister of Finance have estimated an increase of Customs and Excise of upwards of a million of dollars?

**Hon. Mr. Anglin** said the arguments of the Minister of Customs to-night were of the same character as those he had addressed to the people of New Brunswick, and were in direct contradiction of the knowledge and common sense of those to whom they were addressed. He (Mr. Anglin) had frequently answered the same arguments in New Brunswick, and had shown that in estimating the effects of Confederation on that Province, which imported very largely in proportion to population, it was not fair to argue that the direct taxation per head of the whole people of the Dominion would not be increased. If the honourable gentleman undertook to prove that people of New Brunswick did not pay more taxes than they paid ten months ago, he undertook a herculean task which he would find himself unable to perform. He went on to contend that ministers had shown culpable indifference to the interests and opinions of the Lower Provinces, and that if this were persisted in, the preservation of the Union should become impossible.

**Hon. Mr. Tilley** said if he failed to secure re-election in the County of Saint John, he would not, like the member for Gloucester, abandon the principles he had advocated for ten years to secure election in another.

After some further discussion the item was agreed to.

On the next item—Department of Inland Revenue, \$13,386.

**Hon. Mr. Holton** made another appeal to the Government to adopt early measures to reduce the number of departments. The non-necessity of this department was shown by the fact that it had got along notwithstanding the want of attention to its duties by the present incumbent, who had not been at his office for more than three months out of ten since the department was organized.

**Sir John A. Macdonald**, in reply, said the utmost attention to the duties of his office had

been shown by Mr. Howland. When obliged to return home on account of ill health, he took his subordinate officers with him, and though he worked under the double disadvantage of ill health and absence from the seat of Government, it could be proved that he had accomplished more than enough to show the advantage arising from the subdivision of departments.

The item was agreed to.

On the next item—Department of Public Works \$38,611.

**Hon. Mr. Holton** contended that in as much as the superintendence of the Intercolonial Railway was otherwise provided for, and as the Department had been shorn of some of its former functions, it did not afford work enough for a head of a department devoted to it exclusively.

**Hon. Mr. McDougall** denied that the department was shorn of any of its proper functions. Even as regarded the Intercolonial Railway, the commissioners for that work would have to act under the control of the department. The work would be carried on at a distance, and the commissioners would relieve the department of the care of a variety of details, but he did not feel that the department had lost any of its dignity or responsibility in consequence of the provision of the Intercolonial Railway Bill. He (Mr. McDougall) had endeavoured to manage the department as economically as possible, and was prepared to show that its expenditure was less than in 1867 or 1866.

**Mr. Mackenzie** said he desired, in connection with this item, to speak at some length, to ask information and to give information on some points in which the public interests were deeply involved, and with that view he would ask that the item stand over.

**Hon. Mr. McDougall** desired the honourable gentleman to indicate more definitely what he referred to.

**Mr. Mackenzie** said he referred to the management of the department, and the extravagant, almost scandalous, manner in which public moneys were squandered by certain officers of the department. He would only remark further just now that he thought

the member for Chateauguay did not understand the matter correctly when he represented the Minister of Public Works as having reason to complain of having been shorn of some of the proper functions of his department. What the Minister of Public Works had indicated, during the election, that he was desirous of securing was not the labour connected with the construction of the Intercolonial Railway, but merely the political advantages that might possibly result from it. The honourable gentleman expected it to be the great engine by which he and his new allies were to be sustained in power for many years, and the member for Chateauguay acted unjustly in insinuating that the object the honourable gentleman had in view was not likely to be realized. If there ceased to be a minority and majority on the question in the Cabinet, and other difficulties removed, he must confess those expectations were in a fair way of being realized. It was an injustice to the Minister of Public Works and his colleagues to say that they would not take advantage of the opportunities which the construction of the Intercolonial Railway would afford them.

**Hon. Mr. Holton** said the difference between himself and the member for Lambton was more apparent than real. The statement made by the Minister of Public Works during the election was that the acumen and corrupt proclivities of the leader of the Government had been very much under-rated, if he did not use the expenditure connected with the construction of the Intercolonial Railway to secure his remaining in office for the next ten years. He (Mr. Holton) had not intended to call in question the sincerity of the Minister of Public Works in that declaration, or the adherence of his colleagues to the purpose he had imputed to them. He thought, however, there was an unfairness in taking away from the Minister of Public Works the control of that expenditure, but probably this was an additional evidence of the correctness of what the honourable gentleman told the electors. The leader of the Government had deprived him of that power with a view to the more certain fulfilment of that brilliant prospect which the honourable gentleman had depicted.

[Sir J. A. Macdonald (Kingston).]

**Sir John A. Macdonald** said he had no objection to a little badinage, but he really did not see the propriety of introducing into this discussion the appointment of the Intercolonial Railroad Commissioners, as to which honourable gentlemen opposite had had their fling when the Bill was under discussion. As regarded this item, he desired to give the member for Lambton every opportunity of establishing the charges he had indicated, and would allow it to stand, with a view to its being taken up at an early hour to-morrow.

**Mr. Mackenzie** said he would be prepared to proceed with the item whenever the Government chose; but perhaps it would save time if the Government would bring down, before the discussion was resumed, some returns which he had asked for ten days ago. If these were not brought down to-morrow, it might be as well then to proceed with the other items.

**Sir John A. Macdonald** said he had no desire to hurry the discussion of the item.

The item was allowed to stand.

The next item—Post Office Department, \$45,334—was agreed to.

On the next—Department of Agriculture, Immigration and Statistics, \$18,466.

**Hon. Mr. Anglin** objected to the accounts of the Bureau of Agriculture, besides a large amount for what appeared to him a useless Department. He found that their Contingencies reached \$16,000, whereas last year they were only \$12,000; and last year the Department might fairly lay claim to have had something to do.

**Mr. Blake** stated that the Privy Council Contingencies were this year about double those of last year.

**Messrs. Smith and Blake** also objected to this Dominion Government appropriating, in several instances, sums for persons who were alleged to be old servants of Ontario, and were discharged and allowed a certain compensation. This Dominion Government had no right to interfere in the matter. Suppose the Provincial Government repudiated the account—what then?

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**Hon. Mr. Rose** said these charges were made against Ontario in the suspense account.

The item was agreed to.

On the item—Departmental Contingencies, \$187,733.

**Mr. Mackenzie** stated that among the contingencies he found the item of telegraphing for all the Departments extraordinarily heavy. The total amount for this service in the contingencies of the Departments last year was over \$14,000.

**Hon. Mr. Rose** explained that the telegraphing was and would be kept down as much as possible.

**Mr. Mackenzie** asked what the rate was?

**Hon. Mr. McDougall** said it was 20 per cent less than ordinary telegraphing rates.

**Hon. Mr. Holton** called attention to an abuse which existed and which he had noticed while in the Government—that parties sent lengthy messages to the departments by telegraph without prepaying them. This should not be.

**Mr. Mackenzie** also called attention to the way in which the advertising patronage was distributed. Obscure papers with hardly any circulation were favoured with advertisements a column long, showing forth that post office savings banks had been opened in the other end of the Province, or some other Province. Now these advertisements could not accomplish a particle of good; and he found also that a paper with an immense circulation like the *Toronto Globe* was favoured with advertising to the amount of about \$30 a year, while others almost unknown had advertising to the extent of \$500 and \$1,000 each. Again, he found a large sum set down for advertising in and subscriptions to the "Canadian News", which was nothing more or less than a Grand Trunk organ in London, England. It certainly was to the interest of the Government to prevent the waste of public money on useless advertisements and subscriptions to papers.

The item passed.

The Committee rose and reported progress and obtained leave to sit again on Thursday.

## NOTICES

The following notices have been given:—

**Mr. Godin**—Bill to limit the rate of interest.

**Mr. Huot**—To refer the petition of the Quebec Board of Trade for aid to encourage the building of composite ships to the Committee on Shipbuilding.

**Mr. McCallum**—Enquiry whether it is the intention of Government to man the provincial gunboats with men from the Royal Navy, or from the volunteer naval companies.

**Mr. McCallum**—Enquiry whether it is the intention of Government to put a duty on firewood coming from the United States.

**Mr. McCallum**—Enquiry whether it is the intention of Government to discriminate in the rates of tolls to be imposed on Canadian and foreign vessels passing our canals in favour of the former.

## MR. J. J. ROSS

The Sergeant-at-Arms reported that he had been unable to comply with the order for the arrest of Mr. J. J. Ross, owing to his absence from the City, and on the motion of **Mr. Mackenzie** the swearing in of the Joliette Select Committee was postponed to the next meeting of the House, which then rose at half-past twelve this morning.

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## HOUSE OF COMMONS

Thursday, April 16, 1868

The Speaker took the Chair at three o'clock.

### MR. J. J. ROSS IN CUSTODY

Mr. J. J. Ross appeared at the Bar in custody of the Sergeant-at-Arms, and made affidavit that his absence yesterday, when he should have been sworn as a member of the Joliette Election Committee, was owing to a detention of trains.

Mr. Walsh moved that the excuse be deemed sufficient, and that Mr. Ross be discharged from the custody of the Sergeant-at-Arms.—Carried.

### JOLIETTE ELECTION COMMITTEE

Messrs. Tremblay, J. J. Ross, Stirton, J. S. Ross, and Scatcherd (Chairman) were then sworn at the Clerk's table as a Committee to try the Joliette Election.

### MONTREAL EAST ELECTION

Mr. Walsh, from the General Committee on Elections, reported the following as the names of the Committee appointed to try Montreal East election—Messrs. Dunkin, Hagar, L. H. Masson, McConkey and Blake (Chairman).

### TOO MANY DEPARTMENTS

Mr. Jones (Leeds) gave notice that when any of the Bills for the organization of any of the new departments was before the House, he would move a resolution to the effect that in the opinion of the House it is for the interests of this Dominion that the number of His Excellency's advisers who should be in the receipt of salaries, should not exceed nine.

### HEMLOCK TIMBER

Mr. Pope moved to add Hon. Mr. Blanche to the Committee on the subject of protecting hemlock timber.—Carried.

### FIXING A SALARY

Sir John A. Macdonald moved that to-morrow the House will resolve itself into Com-

mittee of the Whole to consider a resolution relating to the salaries of the officials mentioned in the Act respecting penitentiaries.—Carried.

### CONTINGENCIES

Hon. Mr. Langevin moved that on Monday, immediately after routine proceedings, the House will resolve itself into Committee of the Whole to consider third report of the Committee on contingencies.—Carried.

### CRIMINAL LAW

Sir John A. Macdonald introduced six additional Bills relating to the Criminal Law.

### MILITIA BILL

Hon. Mr. Cartier intimated that he would move the second reading of the Militia Bill on Tuesday, and would then explain the views of the Government with reference to fortifications, and the amount of money they were to ask for that purpose.

### THE ESTIMATES

The House was moved into Committee on the Estimates—Mr. Jackson in the Chair—commencing with the estimates for administration of justice.

On the item Circuit Allowances and Contingent Expenses, Ontario, \$13,000.

Mr. Blake said the doubt expressed by the Auditor-General in his letter of the 5th December last, as to the liability of the Consolidated Revenue Fund of the Dominion, for certain charges appeared to have been solved, so far as the Government could solve it in these estimates, by the determination that any payments authorized by Acts of the late Province, were payments not merely to be considered as liabilities of the Dominion of Canada, but payments authorized to be made from time to time as charges on the consolidated revenue, without any vote of Parliament at all. He apprehended, so far as his investigation of the meaning of the Union Act enabled him to judge, that this was an erroneous view. He thought the proper course

for the government to have taken was to have asked a vote for any payments which were not distinctly enumerated in the Union Act as charges on the Consolidated Revenue Fund. The question was a very important one, as it affected the annual expenditure of four or five millions, whether Parliament was to have an opportunity of pronouncing upon it and revising the scale of expenditures, or whether it was to be held as authorized by Acts of the late Province.

**Mr. Johnson** said he would not assert that the salaries of the Judges should be reduced; but he held most emphatically that the salaries of Judges in the various Provinces should be the same. If the salaries in Ontario and Quebec were too large, let them be reduced; if in New Brunswick and Nova Scotia they were too small, let them be increased. But at all events let all the Provinces, as regarded their Bar and Bench, be put on the same footing. If justice was to be equally administered throughout the Dominion, the salaries of the Judges should be the same.

**Sir John A. Macdonald**, in reply to Mr. Blake, said the list of charges on the Consolidated Revenue Funds in the Union Act should be looked at from an Imperial point of view. The Imperial Parliament had certain interests to protect, and they therefore provided that the first charges should be expenses of collection, interests of public debts of the Province and the salary of the Governor-General. These having been protected, others had to be protected from the colonial point of view. This was accomplished by the provision that all acts of the various Provinces existing at the time of the Union should remain in force until modified or repealed. Under this provision he held that the Judges of the various Provinces had precisely the same right to their salaries as fixed by statute in the quarter succeeding the 1st of January last, as they had in the quarter previous to that date. He thought, however, it was advisable that the whole civil list should be revised and re-enacted, and the Finance Minister had prepared a measure for that purpose. The list of judicial salaries would thus come to be revised, but of course the utmost care should be taken to preserve good faith with those who had interests sanctioned by statutory enactment.

**Mr. Blake** agreed that the Dominion should fulfil the obligations transferred to it from the various Provinces; but still held that the expenditures to which he had referred should

[Mr. Blake (Durham West).]

not have been made charges on the Consolidated Revenue Fund until distinctly placed on it by the Parliament of the Dominion.

**Hon. Mr. Rose** said whatever might be the technical construction of the Union Act in spirit, it required the Dominion to meet the obligations created before the Union by the statutes of the various Provinces. He agreed, however, that it was desirable that this Parliament should take the earliest opportunity of re-enacting the statutes under which these obligations existed.

**Mr. Johnson** said the Government, without any authority from Parliament, had increased the number of heads of departments to 13, at a salary of \$5,000 each, with thirteen deputies at \$32,000. If this could be done under the Union Act, there was nothing to have prevented the salaries of the Judges in the Maritime Provinces from being placed on the same footing as those of the Judges in Ontario and Quebec.

The item was agreed to, as also the corresponding items for the other Provinces.

On the item of secret and detective service, \$50,000.

**Mr. Mackenzie** asked an explanation of the entries in the public accounts with reference to the expenditure of \$100,000, voted as secret service money for 1866-67.

**Sir John A. Macdonald** said fifty thousand dollars had been placed at the disposal of a sub-committee of the Privy Council, consisting of four members, for secret service. At the 1st July last they had expended \$41,600, and the balance of appropriations was considered to be wiped out. In the previous year there had been a vote for frontier service, and some of the accounts, properly chargeable against that vote, had been erroneously charged against the secret service. This occurred during his absence in England, and on his return he at once said that these accounts ought not to have been so charged.

**Mr. Mackenzie** said that in the list of unexpended appropriations, on page 101 of public accounts the unexpended balance of secret service money of 1866-67 was stated to be \$34,526. This would make the expenditure to have been \$66,000 instead of \$41,000.

**Sir John A. Macdonald** said the difference between the \$41,000 and the \$66,000 should have been charged against the ordinary administration of justice.

**Hon. Mr. Rose** explained that the difference consisted of payments of accounts from the stipendiary magistrates, Messrs. Ermatinger and McMicken.

**Mr. Mackenzie** said, according to these explanations there must be an extraordinary system of bookkeeping in the Finance Department. Did Ministers mean to say that in the estimates of 1866-67 no provision was made for the stipendiary magistrates?

**Sir John A. Macdonald**—For their salaries, but not their accounts.

**Mr. Mackenzie**—If the whole \$100,000 had been expended on secret service, would the stipendiary magistrates have remained unpaid? He also begged to ask whether the vote of \$50,000 now proposed included provision for the salaries and accounts of these gentlemen?

**Sir John A. Macdonald**—No; no; there was nothing secret or detective so far as these salaries were concerned. Certain of the accounts of these gentlemen appeared under the ordinary administration of justice, but there were special charges for which no vouchers were produced.

**Hon. Mr. Holton** complained that the public accounts committee had not been called together again to consider this and similar matters in the public accounts.

**Hon. Mr. Howland** said the committee at its meeting a few days before the adjournment asked for certain information which there had not been time to furnish before the adjournment. They would be called together on an early day.

The item was agreed to.

In connection with the next item—arrears of 1867, \$13,937.

**Mr. Blake** inquired if the Finance Minister included among the receipts an account of the Province of Ontario the law fees and law fee fund?

**Hon. Mr. Rose**—No.

**Mr. Blake** said when the Finance Minister made his budget speech in December he remarked that he was not sure whether the member for Cornwall might not consider these funds as belonging to the Ontario Government. These were local funds consisting of fees levied from the suitors in order that the suitors might pay a fair proportion of the expenses of the administration of justice, and we ap-

prehended they both properly belonged to the Province. They ought at least to be included in the suspense account.

**Sir John A. Macdonald** said these funds were created by separate statutes for separate purposes. One of them was the Osgoode Hall fee fund. He supposed the Dominion Government was responsible for the debt on account of that building, and that the fee fund should go in payment of the interest or towards a diminution of the obligations. As regarded the County Courts fee fund, that he apprehended must belong to the Dominion. The law provided that the salaries of County Judges of Upper Canada should be defrayed from a certain fee fund. There was a provision that if the fund was insufficient, the deficiency should be charged on the general revenue. The fee fund, therefore, he considered must be looked upon as a fund to be received by the Dominion Government towards payment of these salaries. If handed over to Ontario the Government of that Province should apply it to the payment of County Judges so far as it went, and the Dominion Government would be liable for the deficiency. The County Judges in the other Provinces were paid by the Dominion Government without a fee fund; but as the law now stood in the case of Ontario, the liability of the Dominion Government was to pay any deficiency in the salaries, after the law fee fund was exhausted.

**Mr. Blake** said, under the Statute of the late Province of Canada, the Consolidated Revenue was chargeable with any deficiency as regarded the salaries of County Judges remaining after the fee fund was exhausted; but the Union Act directed how the salaries of the Judges—not merely any deficiency in their salaries—should be paid by the Dominion Government; and this was the only reasonable provision that could have been made. It would have been unreasonable to say that as regards one Province there should be illusory provision for the payment of the Judges by the Dominion Government, while as regarded the others there should be a substantial provision. He hoped such an obvious injustice would not be suffered to exist. As regarded the future, he took it for granted it would be rectified.

**Sir John A. Macdonald** said the subject of stamp and fee funds generally in connection with legal proceedings would shortly be dealt with in a Bill to be introduced by the Minister of Inland Revenue.

**Hon. Mr. Dunkin** said the law of fee funds in Lower Canada went to the payment of officers who were entirely chargeable on the funds of that Province. The Dominion Government had nothing to do with them. If the Government, however, would be kind enough to take these funds and pay the officers chargeable on them, they would be welcome to do so.

**Mr. Wood** said the officers in Upper Canada corresponding to those in Lower Canada whose salaries were chargeable on its fee funds were paid out of the revenues of Canada corresponding to those in Lower Sheriffs, Clerks of the Peace, Clerks of the Courts, etc. The fee funds referred to by the member for West Durham were peculiar to Upper Canada. The Finance Minister had assumed that these funds should go into the revenues of the Dominion, but if there was a correct principle it should extend to the whole Dominion, and similar funds should be collected from other Provinces for payment of the Judges. They amounted to a very considerable sum, and to say that Ontario should contribute a fund nearly sufficient to pay its Judges, while the Judges in the other Provinces were paid their whole salaries out of the Dominion Treasury was so monstrously unjust that he could not believe the Finance Minister would persist in including these funds in the Dominion revenues.

**Hon. Mr. Rose** said the Treasurer of Ontario had pressed his views very strongly on the Dominion Government, and it was his (Mr. Rose's) intention to go into a thorough examination of the whole subject, with a view to arriving at a just conclusion.

**Mr. Blake** remarked that he had suggested in another place that the readiest method to settle the difficulty would be for the Ontario Legislature to repeal the Acts creating these funds and then to re-enact them, appropriating the funds to Provincial purposes. (Laughter).

The item was then agreed to.

On the item, Montreal River Police, \$16,-100.

**Hon. Mr. Smith** asked why this should be charged against the Dominion?

**Hon. Mr. Rose** explained as to this and a similar item for Quebec, that there were certain funds arising from tonnage dues, etc., which went towards payment of this charge; that the services of these police had been

availed of for certain purposes by Government, and that the Dominion Government would settle with the Quebec Government and the local Harbour authorities how much of the expense it should bear.

**Sir John A. Macdonald** said after the close of navigation last year, Government gave orders that these police should be discharged on a fortnight's notice, as they were not required during the winter, but before the notice expired it was necessary on account of circumstances which arose to employ them on frontier service. A similar provision might require to be made for some of the ports in the Lower Provinces, although he did not think such a necessity existed with reference to Ontario.

**Mr. Mackenzie** held that every port from the profits of its trade should pay for the force necessary to preserve order among the sea-faring men who brought it that trade, but if the Dominion Government was to pay a police force for Quebec, Montreal, Halifax, and Saint John, he insisted that the same provision should be made for Ontario ports. It was not right that Ontario, which paid so much of the taxation, should not have her fair share of the expenditure.

**Mr. Dunkin** thought it unfortunate that there should be so much sensitiveness exhibited as between the Provinces. If any ports in Ontario could be shown to be in analogous circumstances to those of Quebec and Montreal, let a similar provision be made for them. But he held it to be clear that the responsibility of making the provision for preserving the public peace rendered necessary by the large influx of sailors at our ports for sea-going vessels should not be thrown on local municipalities. If the City of Quebec was required to make such provision she could not do it, and it would not be done. The Union Act threw on the Dominion Government the responsibility of caring for the interests of navigation, and this charge properly belonged to it. The Dominion Government received certain funds for that purpose and ought to discharge the duty in connection with which these funds were created.

**Hon. Mr. Fisher** contended that the Union Act never contemplated throwing on the Dominion Government such expenditure as this, the first charge in which was the salary of Judge of Sessions of the Peace, \$2,400. Such a charge as that clearly belonged to the Local Government.



After the recess,

**Mr. Beaty** said that before giving a vote on this subject he desired more information. He did not see why the people of the West should be called on to pay for these river police, and he warned the Government that by their present course they were only furnishing another weapon to the disaffected anti-Union party. But having decided on it, he knew the Government would carry it. Now, his constituents sent him there to support the Government; but he had told them distinctly that he would not be passive in the hands of any party. He was a party man (hear, hear), and would only support the Government when he found them dealing equally and fairly by the whole Dominion. But while saying he was a party man he would also state that he did not take his motto from Yankeedom, or any other "Dom". He believed the interest of the State to be superior to party, and would vote accordingly.

**Mr. Johnson** was surprised to hear such an argument from a member of that House. (A voice—"Louder.") He thought he could make himself heard in that House, although judging honourable members by their statements, he doubted whether he could make himself understood. (Loud laughter.)

**Hon. Mr. Smith** contended that the River police should not be a charge on the Dominion. It did not seem to him that because the General Government had control over trade and navigation generally that the Government of Quebec could not from harbour dues and other sources raise enough to support these River Police.

**Hon. Mr. Chauveau** said the Dominion received the dues which ought to go to the support of this police. Hence the Dominion had to furnish this River Police.

**Hon. Mr. Cartier** said the term "River Police" was a misnomer. They should have been called "Government Police." The corporations of Quebec and Montreal had no jurisdiction on the water, could not protect property off the land. Hence the necessity for a system of Government police, with privileges to enable them to act in these cases. The river police were under the charge of Local Justices, Coursol & Maguire, but the expenses of the police were necessarily a charge on the Dominion. This was for the present, but hereafter the charge for the officers superintending would not be a charge on the Dominion.

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**Mr. Wood** opposed the vote, thinking it most extraordinary that there should be such a difference between land and sea in the matter of police.

**Hon. Mr. Anglin** took a similar view, and was glad to hear an explicit statement that hereafter the salaries of these justices would not be a charge on the Dominion.

**Mr. Young** contended that it was very unfair that the Government should pay for the police forces of one Province while the other Provinces paid for their police out of municipal funds. He hoped that these items would not appear in the estimates of next year.

The items, after further discussion, were agreed to.

On the item—Penitentiary, Kingston, \$130,561.

**Hon. Mr. Anglin** called attention to some extraordinary items in the public accounts under this head. One was a payment to **Mr. Litchfield**, for use of his horse and carriage for nine years, \$720. This looked like some of the jobs to which they had been accustomed in the Maritime Provinces before Confederation. Another was a payment to a **Mr. MacDonell** for seven years' services, \$2,800. Another clearing up of old scores was a payment to the warden for seven years' service in connection with Rockwood Asylum, \$2,800. He found also salaries of two chaplains at \$1,600 each; he thought this was a large amount. The allowance for the New Brunswick penitentiary, \$8,200, he thought was not enough.

**Hon. Mr. Rose** said the estimate of \$8,200 corresponded with the grant which had been usually given, and he had no other data to go on.

**Mr. Young** hoped some explanation would be given of the payments in the two cases for seven years' services.

**Sir John A. Macdonald** said this was the first time attention of the Finance Minister had been called to these payments, and he would make enquiries about them. He (Sir John) did not know anything about them. The salaries of the chaplains as given in these estimates were fixed by law, but they were considerably reduced in the resolutions he was to submit to the House in connection with his Penitentiary Bill.

**Hon. Mr. Fisher** considered the salaries of the chaplains were too high.

**Sir J. A. Macdonald** said his honourable friend a little ago complained loudly that the Judges of the Maritime Provinces did not receive more than the salaries they had been accustomed to get, and now he was shocked that poor clergymen should get 400 pounds a year. It was evident he thought more of the law than of the Gospel.

**Hon. Mr. Fisher** said he had taken no part in the discussion about Judges' salaries, and had given no opinion on the subject. As to the chaplains, he did not see why two clergymen having the charge of parishes for which they received stipends, could not perform the duty for half the money.

**Hon. Mr. Holton** expressed his surprise that the payments for seven years past services in the Penitentiary, which belonged to the Department of the Minister of Justice, should have been made, and yet that honourable gentleman could not explain why they were made. The public accounts stated that they were made by Order-in-Council, and that Order-in-Council must have been based on a report by head of the department.

**Sir John A. Macdonald** said they were not made on his report, and he knew nothing about them.

**Mr. Connell** complained that there should be an appropriation for the Criminal Lunatic Asylum, which by the Union Act must belong either to Ontario or Quebec. If this course were pursued, the dissatisfaction existing in the Maritime Provinces would be greatly increased. In New Brunswick the asylum was maintained by the Local Government.

**Sir John A. Macdonald** said that if there was dissatisfaction about this item in New Brunswick, or in the honourable gentleman's own mind, it was a very unreasonable dissatisfaction. The Union Act provided that Penitentiaries should be maintained by the Dominion, and lunatic criminals, as well as other criminals, must be provided for by the Dominion.

**Mr. Connell**—It is not so in New Brunswick.

**Sir John A. Macdonald**—It ought to be so and must be so. There could be no doubt as to the propriety of having a separate prison for lunatic criminals, and it was as necessary that such a prison should be maintained by the Dominion Government as the Penitentiary itself. In New Brunswick and Nova Scotia there might not be a sufficient number of that class to require separate prisons; but proper provision for their safekeeping, sepa-

rate from the other prisoners, must be and would be made by Government.

**Mr. D. A. McDonald** said he had gone through the Rockwood Asylum and was not satisfied with what he saw there. Many of the lunatics were peaceable and quiet, but there was no provision whatever for their getting out to breathe the fresh air. He hoped the leader of the Government would see to having a remedy provided for this state of things.

**Sir John A. Macdonald** said the Asylum had been growing by degrees by annual votes. He believed the peaceable inmates were allowed to work in the grounds outside. As regarded those with suicidal, homicidal, and other disagreeable propensities, it might not be safe to let them outside, even if there were walls about the grounds.

The items for penitentiaries and criminal lunatic asylums were agreed to.

On the item of prison inspection, salaries of 4 inspectors, with salary of clerk and contingencies, \$10,800.

**Mr. Mackenzie** said Ontario had passed a law appointing inspectors of its own prisons—surely the Dominion was not to pay other inspectors for the same purpose.

**Sir John A. Macdonald** said the inspectors of the late Province of Canada continued their duties, and were entitled to their salaries, even so far as Ontario was concerned, until the law referred to was passed. They had still also duties to perform with reference to the penitentiary.

The item was agreed to.

On the item Senate, Salaries and Contingencies \$68,458.

**Hon. Mr. Anglin** called attention to the fact that while the mileage charged for members of the House was \$28,500, that for members of the Senate, who were not half the number, was \$28,182.

**Sir John A. Macdonald** said the charge seemed inexplicable.

**Hon. Mr. Rose** said his attention had been called to the matter, and he had made inquiries without receiving a satisfactory explanation. It was a delicate matter to interfere with the contingencies of the Senate, but he would make further inquiries about it.

The item was agreed to, as also \$200,740 salaries and contingencies of the House of Commons.

**Hon. Mr. Smith** objected to the item of \$840 for pensions.

**Hon. Mr. Rose** said this was an obligation which had to be met. Whether it might not be put to the debit of Ontario and Quebec was another question.

**Hon. Mr. Smith** insisted that the Dominion could inherit no liability from the late Province of Canada unless it was created by statute.

**Hon. Mr. Fisher** also contended that pensions given by annual vote in the late Province could not devolve on the Dominion.

**Hon. Mr. Dunkin** said there was a machinery for dividing this obligation between Ontario and Quebec unless it devolved in the first instance on the Dominion.

This and the other items under the head of legislation was agreed to.

On the items Quebec Observatory, \$2,450, do. Toronto, \$4,800; do. Kingston Queen's College, \$500; do. Montreal McGill College, \$500.

**Hon. Mr. Smith** objected to paying grants to observatories in connection with colleges in Ontario and Quebec, while those connected with colleges in the Maritime Provinces got nothing.

**Hon. Mr. Rose** said the observatories at Kingston and Montreal had been got up by private subscription, and were not properly connected with the colleges named.

**Mr. Mackenzie** thought it a dangerous principle to commence making grants for local institutions. If observatories in connection with Queen's College and McGill College were to be aided, those in connection with colleges in the Maritime Provinces had an equal right to be aided.

The items were agreed to.

On the item of six months' grant in aid of schools of medicines and certain other institutions of Ontario and Quebec.

**Mr. Mackenzie** said he considered it most extraordinary that the Dominion Government should assume to provide for these institutions. They had no right to assume that Ontario and Quebec would or would not grant appropriations to these institutions, and had no right to pay away the money of Ontario and Quebec for such a purpose.

**Hon. Mr. Rose** said these grants were simply to pay a debt which had accrued in

consequence of the change of the fiscal year. The grant was for the six months from 1st January, 1867 to 1st July, 1867, and was as much a debt as any other liability of the late province of Canada. The amount had not yet been paid, but Government considered they were bound to pay it.

**Mr. Mackenzie** said this was a matter which belonged to the Parliament of the late Province of Canada, which had assumed to make all the appropriations it considered necessary up to 1st July, 1867.

**Hon. Mr. Holton** thought this was a matter with which the Dominion Parliament had nothing to do. There was no legal or moral obligation even on the part of the late Province of Canada to continue these grants, except from year to year; and under the Union Act, the Dominion Parliament was altogether incompetent to make them.

**Sir J. A. Macdonald** said that a six months' grant had dropped out in consequence of the change in the fiscal year, and this was only found out when the check came by introduction of the new system when Confederation went into operation. He contended that there was an obligation on Parliament to make up the deficiency.

**Mr. Mackenzie**, seconded by Mr. Whitehead, moved that the item be struck out. He again strongly objected to the extraordinary proposition of the Government that the Province of Ontario and Province of Quebec should be coerced into these grants. It was for these Provinces to make them or not as they pleased.

A lengthy discussion ensued, when—

**Hon. Mr. Rose** said he would not press the item that night, and there seemed to be a good deal of feeling on the subject.

**Mr. Mackenzie** said he was obliged to the honourable member.

The Committee then rose and reported progress.

#### MONTREAL WEST ELECTION

**Sir J. A. Macdonald** moved that the Speaker do issue his warrant for the election of a member for Montreal West, in the room of the late Hon. T. D. McGee.

The House adjourned at 1 o'clock.



## HOUSE OF COMMONS

Friday, April 17, 1868

The Speaker took the chair at three o'clock.

### MONTREAL EAST ELECTION

Messrs. Dunkin, McConkey, L. H. Masson, Hagar, and Blake, Chairman, were sworn at the Clerk's Table as a Committee to try the Montreal East Election.

### RATE OF INTEREST

Mr. Godin introduced a Bill to limit the rate of interest in the Dominion of Canada.

### MILITIA OF LOWER PROVINCES

Hon. Mr. Cartier laid on the table the reports of the Adjutants-General of Nova Scotia and New Brunswick on the Militia of those Provinces.

### DESPATCH FROM COLONIAL SECRETARY

Sir John A. Macdonald brought down a message from His Excellency transmitting a despatch from the Secretary of State for the Colonies relative to the laws respecting treasonable offences.

### PROVISION FOR MR. MCGEE'S FAMILY

Sir John A. Macdonald reported that those members of this House who are of the Privy Council had presented the address of this House with which they were charged to His Excellency the Governor-General, and that he was graciously pleased to answer—That he received with great satisfaction the assurance of the intention of Her Majesty's faithful Commons to take such measures as will enable him to make a suitable provision for the widow and family of the late Hon. T. D. McGee. There could not be a more proper occasion for the exercise of the liberality of Parliament than one which enables it at the same time to mark its appreciation of the performance of public duty, and its detestation of the atrocious crime by which eminent abilities, brilliant eloquence, and untiring patriotism have been lost to the service of the country.

On motion of Sir J. A. Macdonald, the House went into Committee of the Whole, Mr. E. M. McDonald in the Chair, to consider the following resolutions:—

*Resolved*—That the annual sum of \$1,200 be granted to Her Majesty out of the Consolidated Revenue Fund, to commence from the 7th day of April, 1868, and be settled on the widow of the Hon. Thomas D'Arcy McGee, late member of the House of Commons of Canada, for the electoral district of Montreal West, for the term of her natural life, and that the same be paid without any deduction whatever.

*Resolved*—That a sum of \$8,000 be granted to Her Majesty to be vested in the Minister of Finance of Canada for the time being, in two separate sums of \$4,000 each, for the use of each of the two children of the late Hon. T. D. McGee, late member of the House of Commons for the electoral district of Montreal West in such manner as the Governor-in-Council shall direct.

When the subject of the assassination of Mr. McGee was first brought under the notice of the House, he took occasion to state on behalf of the Government that they considered it the duty of the country to provide for the widow and children of Mr. McGee in a proper manner. The response from all sides of the House without distinction of party or section showed unmistakably that the views of the Government were shared by the House, and if anything were wanting to assure the Government that they were right in making the proposition as they did, that assurance had been given by the response of the country, east and west. He felt it unnecessary in him to repeat on this occasion what had been infinitely better said in this House at great length, and in the press of the country, respecting the merits of the deceased. It must be exceedingly gratifying to this House, as it was creditable to the press of the country, that it had proved itself equal to the occasion. The press of Canada had already furnished ample and accurate biographies describing in full detail the merits, political, personal and social, of Mr. McGee. It was especially gratifying to see how, in the notices of the deceased, there had

been an entire absence of the display of anything like adverse political or personal feeling, and that some of the most cordial and affecting tributes to his memory had come from pens of gentlemen who were not only known to have been politically opposed to Mr. McGee, but who could scarcely be said to be on terms of personal friendship with him. It was not for him to add to these numerous tributes to the memory and services of Mr. McGee. He would say, however, that it had been admitted without a dissenting voice that among the chief characteristics of the man were his personal disinterestedness, his entire lack of selfishness, and his kindly generosity; that generosity which was alike characteristic of his country and the man himself had left his family unprovided for; and in the circumstances under which he had fallen, it became the duty of the country to come to the assistance of those who had been bereft of their natural support, so far as pecuniary consolation could be of any value. Mr. McGee might have been up to the period of his death in high political position. He might have continued a member of the Government, but with that disinterestedness of which he had spoken, for the purpose of fairly attaining the Union, he had set aside his own claims and pretensions. In thus alluding to the sacrifice Mr. McGee had made for the sake of the Union, which he loved so well, it would be wrong in him to make a single remark that could provoke discussion. He would say, however, that Mr. McGee earnestly believed that in the Union of the British North American Colonies there was a great future for British America as a nation under the British flag, and with that earnestness which was his great characteristic he threw himself into the work and laboured for the cause uninterruptedly, zealously and continuously, until it was carried out. But while he showed the greatest disinterestedness so far as he himself was concerned, he did not forget the interests with which he felt himself specially charged, the interests of his co-religionists, and the only stipulation he made when he withdrew from the position of Minister, or rather the only expression of opinion with which he accompanied his withdrawal was that he urged upon him (Sir John A. Macdonald) the propriety and expediency of having his countrymen and co-religionists represented in the Cabinet by one of its members being an Irish Roman Catholic. In giving up his position in the Ministry he knew that he would be obliged to support his family by his

[Sir John A. Macdonald (Kingston).]

every-day labour, and he set himself most manfully to the task. On the very day that he was cut off, he was labouring at his desk in the path he found open to him, with this view, that of honest, industrious literary pursuits, and turning to his next neighbour he held up the manuscript and said, "There is my bread." He had earned a high position in literary circles, and his labour in that way would no doubt have enabled him to earn for himself and his family a respectable subsistence, and to increase the reputation he had earned; but he had been cut down in his prime, and had left his family thrown upon the wide world, or rather in the language of His Excellency, thrown on the justice and liberality of Parliament. That justice he was assured would not be denied, and that liberality would be extended to those he had left behind, although not with an unnecessarily lavish hand. The resolutions, he believed, would commend themselves to this House as at once marking the sense of Parliament of the private and public virtues of Mr. McGee, and at the same time affording a sufficient, but not extravagant, contribution towards the respectable support and sustenance of his widow and family. To the widow the sorrowful sense of her loss would remain, but it would be some comfort to her to feel that the merits of her deceased husband had been so felt and acknowledged by the Parliament of the country, that they had found it to be their bounden duty to make a suitable provision for his widow and for his and her children.

**Hon. Mr. Johnson** supported the resolution, paying a high compliment to Mr. McGee's private qualities, and also to his great public services, in softening the asperities which interfered with the welfare of the Union which he had served more than any other statesman. He (Mr. Johnson) had long known Mr. McGee personally and politically, and thought it fitting to pay this tribute to his memory, and to express his confidence that his constituents would be unanimously ready to endorse his action in support of the resolution.

**Hon. Mr. Gray**, though not having possessed the advantage of so close a personal intimacy with Mr. McGee, thought it not improper that he should bear witness in his place there to his deep admiration for the patriotic career of that gentleman, to whom the public owed so large a debt of gratitude as an earnest and untiring advocate of Confederation. Drawing a distinction between the assassination of the

Hon. Spencer Percival, Chancellor of the Exchequer, by the hand of a madman avenging a fancied private quarrel, and that of Mr. McGee by an enemy of his country, incensed by his victim's patriotic devotion, he mentioned the grant of the House of Commons of 50,000 pounds to Mr. Percival's family without one dissentient voice, and he believed that he did not go too far in expressing his opinion that this House would only be too ready to vote an additional sum of \$4,000 or \$5,000, or whatever amount might seem proper, to defray any immediate liabilities to which his family might be subjected. (Hear, hear.) The services of Mr. McGee did not end with his life, his pen having sown seeds of good to be reaped in for distant years. He suggested that the Government should collect and publish a complete edition of his works, presenting it to public libraries and literary institutions of the country, an undertaking not only likely to be most gratefully acknowledged by his family, but also of great profit to the community. He concluded by hoping that Mr. McGee's last words, "It is morning now," would prove prophetic of the dawn of an immortal fame.

**Hon. Mr. Dorion** thought the House might very well have been spared some of the observations which had fallen from the member for Saint John. His speech really seemed as if designed to invite opposition. When the honourable gentleman urged the adoption of these resolutions as a reward for Mr. McGee's services on behalf of Confederation, he seemed to forget that a considerable section of this House did not approve of that measure. The honourable gentleman knew that the sister Province adjacent to his own was unanimously opposed to it, and he thought the very last act of the honourable gentleman's own constituents should have imposed silence upon him in that respect.

**Hon. Mr. Gray** explained that he had not meant to urge these resolutions as a reward for Mr. McGee's services on behalf of Confederation. He had merely stated that, so far as he was personally concerned, he approved of his labours in that matter.

**Hon. Mr. Dorion** said he was perfectly satisfied with the honourable gentleman's explanation, without which his remarks would have been liable to misconstruction both inside and outside the House.

**Hon. Mr. Chauveau (in French)** cordially agreed with the suggestion of the honourable

member for Saint John. Mr. McGee had paid an hundred fold his debt to the country, and it was not too much to claim that the country should discharge any small obligations which encumbered his estate.

**Mr. Mackenzie** expressed his regret that anything should have been said of a nature to provoke discussion or opposition. He thought the Government had shown both liberality and prudence in the proposition they had offered, and he would have been glad if all parties had been content to leave the matter precisely as the Government had placed it. He regretted the general tenor of the speech of the member for Saint John; but for that he (Mr. Mackenzie) had intended to address some observations to the House which he now felt bound to withhold.

**Hon. Mr. Dunkin** said Mr. McGee had nothing to do but hold his tongue as to his convictions, and in all probability he would have been living now. In common with other gentlemen who had spoken, he hoped that if more could be done hereafter, it would be done. If the fact was, as he believed, that there was a very considerable amount of encumbrance hanging over the deceased statesman's family, then they should not be allowed to labour under.

The resolutions were adopted, and having been reported were concurred in by the House.

A Bill to provide for the widow and children of the late T. D. McGee was then introduced and read a first time.

#### COMMITTEE OF SUPPLY

The House then again went into Committee of Supply.

In Committee of Supply, the item of \$2,000 for expenses connected with the organization of the patent office was carried, also the item of \$5,185 for the registration department of Nova Scotia; on the latter there was a debate.

The item registration for Quebec, \$650, passed.

On the item \$34,000 for salaries of Immigration Office, rent and contingencies of do., helps, transportation of immigrants.

**Mr. Jackson** said it would be desirable that information should be afforded by the Government as to what they proposed to do towards aiding immigration, and whether in this matter they are working in unison with the Local Legislatures.

House rose at six o'clock.

### BANK OF AGRICULTURE

After the recess.

**Mr. Macfarlane** introduced a Bill to incorporate the Bank of Agriculture, second reading for Monday next.

The House went again into Committee of Supply.

**Hon. Mr. Rose** was going to allude to the point raised by the member for Grey, when

**Mr. Mackenzie** said as discussion was inevitable on this point, and as the member for Cornwall, who would desire, no doubt, to take part in it, is not in his place, he (Mr. Mackenzie) would suggest that they should discuss the matter on the question of concurrence.

**Hon. Mr. Rose** agreed.

In reply to **Mr. Young**

**Hon. Mr. Rose** stated that in future the Government did not intend to pay the railway passage of immigrants who were brought out to the country and helped by having their passage paid on the Grand Trunk and who, in numerous cases, went and settled in the Western States.

The item for quarantine establishment expenses at Grosse Isle, and salaries of Inspecting officers at Quebec, \$18,000 was passed, also quarantine expenses at Halifax and Saint John \$7,000.

On the item \$21,958 for salaries for marine and immigrant hospitals, Quebec.

**Mr. Blake** maintained that the Dominion was here providing for immigrant hospitals and other things obviously pertaining to the local Governments. With the marine hospitals the Dominion had to do, but not with other things.

**Hon. Mr. Chauveau** thought it was illiberal to object to an hospital like the marine hospital, the support of which certainly pertained to the Dominion. It seemed to him that honourable gentleman objected more because this charity was in the Province of Quebec than for any other reason. The sum granted to this charity was but \$1,000.

**Mr. Blake** objected to giving any sum which the Dominion was not justly entitled to give.

**Dr. Parker** thought it would have been more satisfactory if, in this matter, the

Government had given a statement of the number of sailors taken to these hospitals, as distinguished from the number of inhabitants sent there from Quebec City and the country round.

**Hon. Mr. Rose** replied that the hospital in question was undoubtedly a Dominion institution, but he would add that if it were found that in carrying out these objects the Dominion and Local Governments could use the same machinery, then he would be prepared to do what he could in the way of economy.

**Mr. Mackenzie** thought that if the estimates had been prepared with more care, these discussions might have been avoided.

**Hon. Mr. Dunkin** explained that the Marine Hospital was not in the slightest degree under the control of the Province of Quebec. It was a Dominion institution.

**Mr. Young** said the vote here asked for Government was unconstitutional, as they could not vote money for charitable purposes. Any vote given by that House could only be for marine purposes.

The item was carried; also item \$900 for salaries and maintenance of Marine Hospital at Saint John.

On the item \$5,000 for maintenance of sick and disabled seamen sent to the General Hospital, N.S., it was explained that there was no Marine Hospital there, and hence the General Hospital had been used.

**Mr. Mackenzie** alluded to the admirable first class marine hospitals established along the lakes by the United States, and suggested that some such system would be a great improvement on the present one.

The item passed.

The votes for shipwrecked and disabled seamen in Quebec, Nova Scotia, and New Brunswick, for the humane establishment at Sable Island, and for sundry hospitals and other charitable institutions were also agreed to.

On the item for militia and gun-boats, **Hon. Mr. Cartier** explained that any of the expenditure included under this head incurred in the late Province of Canada before the 1st of July, 1867, would be charged against Ontario and Quebec.

In reply to **Mr. Masson**, Terrebonne,

**Hon. Mr. Cartier** said the statutory appropriation for the Deputy Adjutant General of



Quebec would not be expended, as the place of Col. DeSalaberry had not been filled, and would not be filled under the new system.

**Hon. Mr. Dorion** could not see why the money should be voted, if the appointment was not to be made.

**Mr. Mackenzie** asked the name of the medical officer attached to the Militia Department.

**Hon. Mr. Cartier** said he could not answer in the absence from town of the Adjutant-General. He thought it was Girdwood, but he was not sure. He would answer the question on Monday.

**Hon. Mr. Abbott** said that Dr. Girdwood was a gentleman of high professional standing, and to his knowledge had on several occasions rendered valuable service in auditing accounts sent in for inquiry to volunteers.

**Dr. Grant** said Dr. Girdwood had also been of service in examining certificates of gentlemen who applied for positions as medical officers in connection with the volunteer service.

**Mr. Mackenzie** said the action of this Dr. Girdwood as a medical board in examining the certificates of medical officers was entirely outside the law. It was impossible for one medical gentleman to exercise surveillance over the whole medical staff in the event of the Volunteers being called out. Whatever this gentleman's qualifications might be, his appointment was nothing more nor less than a job.

**Hon. Mr. Dunkin** said every Battalion of Militia might have its medical office independently altogether of the calling out of the Volunteers. He thought there was a decided propriety in having the certificate of parties applying for these appointments sent in to be examined by so competent a medical man as Dr. Girdwood, acting as medical adviser of the department, and \$800 a year was not very much for the discharge of these and other duties devolving upon him.

**Hon. Mr. McDougall** thought the member for Lambton assumed too much in characterizing Dr. Girdwood's appointment as a "job". The organization of the medical department of the militia had been found in a very defective state. It was seen to be necessary that it should have an efficient head, and Dr. Girdwood's qualifications were such that one who was acquainted with the facts must admit that his services were cheaply paid for.

**Dr. Bown** expressed his opinion that Government had acted wisely in making the appointment.

In reply to Mr. E. M. McDonald—

**Hon. Mr. Cartier** said Dr. Girdwood was appointed under the Militia law of the late Province of Canada which gave His Excellency the power to make such an appointment.

**Mr. Blake** asked if the new Militia Bill provided for the appointment of this office.

**Hon. Mr. Cartier** said the Bill provided for the appointment of all officers necessary for the efficient defence of the country. (Laughter).

**Mr. Mackenzie** said the vote of \$100,000 for drill-sheds and rifle ranges seemed very large. Would the Minister of Militia explain where these drill-sheds and rifle ranges were situated?

**Hon. Mr. Cartier** said only \$20,000 or \$25,000 of this amount had been actually spent, and the vote would remain not only for the service of this year, but to be carried over till next year.

**Mr. Mackenzie** That cannot be done.

**Hon. Mr. Rose** said there was an old vote of \$110,000 for this purpose only a portion of which had been spent. This was a renewal of that vote, and it was not to be supposed it would be all spent during this year.

**Hon. Mr. Cartier** said there were now fourteen drill-sheds in course of being erected.

**Mr. Mackenzie** said these would not cost more than \$1,000 each. He protested against the House being asked to vote large sums with regard to which no proper explanation was given.

**Hon. Mr. Rose** said ample information would be found in the report of the Adjutant-General with regard to all the drill-sheds which had been so built.

**Mr. Mackenzie** said the information he wanted was not as to the drill-sheds built last year, but as to those built or to be built this year.

**Hon. Mr. Rose** said the precise information could not be given, until the specifications in each case was read and a block sum asked, so that no money might be spent which had not been first voted by Parliament.

After further discussion,

**Hon. Mr. Rose** added to the resolution the words, "to be paid in 1867-68, or 1868-69."

**Mr. Ferguson** thought it would be quite safe to vote this \$100,000 to the Government. If spent, it would be well spent; if not all spent the balance could remain in the Treasury; there could be no loss to the country.

**Mr. Masson (Terrebonne)**—With regard to the appropriation to cover payment for stores furnished by the Imperial Government before the 1st of July, 1867, asked if it included ammunition as well as accoutrements.

**Hon. Mr. Cartier** said he had been Minister of Militia only since the 1st of July, and he did not have these old accounts by rote. If the honourable member came to his office to-morrow he would show him how much was for ammunition and how much for accoutrements.

**Hon. Mr. Smith** with regard to the appropriation of \$18,000 pay of volunteers for Dominion Day review, asked how much of this was spent in Nova Scotia.

**Hon. Mr. Cartier** could not say.

On the item of \$120,000 to pay for barrack fitments made by the Royal Engineers,

**Hon. Mr. Cartier** explained that the Province of Canada undertook to pay for barrack accommodation for three regiments. Some of the items in the accounts furnished by the Royal Engineers for this service were disputed by the Government, but it had been thought well to ask an appropriation sufficient to cover the whole accounts.

**Mr. Mackenzie** thought there should not be too much excitement in consenting to these accounts, although he believed there had been a mistake as to the prices where this barrack accommodation had been provided; most of the work done had been to alter old buildings which were not the property of this Government, he thought that Government should adopt a distinct policy as to where the barracks should be located, and then own the buildings which were erected.

**Hon. Mr. Cartier** admitted that the present system was not satisfactory. He did not think, however, the suggestion of the member for

Lambton could be carried out in practice, for the commander of the forces might at any time remove garrisons from one town to another, or select new places in which soldiers should be quartered.

On the next item \$80,000, for barrack accommodation,

**Mr. Blake** asked how much rent was paid for the buildings in Ottawa in which the Rifles were quartered.

**Hon. Mr. Cartier** \$4,000 per annum for the Skead building, and \$6,000 per annum for the Nun's building.

**Hon. Mr. Fisher**—How many troops are accommodated for that money?

**Hon. Mr. Cartier** could not say. He believed, however, there was accommodation for a whole regiment.

On the item \$400 pension to Samuel Walter, late Clerk of the House of Assembly,

**Hon. Mr. Smith** asked a definition of the policy of the Government with reference to these pensions. Surely the Government did not mean that New Brunswick and Nova Scotia should have anything to do with paying these pensions of the old Province of Canada.

**Hon. Mr. Dunkin** said it was clear under the Union Act, Canada was liable for all the debts and liabilities of the late Province of Canada but as Ontario and Quebec had to assume the debt in excess of sixty-two and a half millions, the liabilities above that amount would be divided between these Provinces.

**Hon. Mr. Smith** thought the House should know when these moneys were appropriated whether they were to be charges on the Dominion Government or Local Governments. He was afraid justice would not be done if New Brunswick and Nova Scotia were not also represented in the arbitration between Ontario and Quebec.

**Hon. Mr. Dorion** said if these pensions were to be charged against Ontario and Quebec, this Parliament was appropriating the money of those Provinces, or increasing their debt without the consent of their Legislatures.

**Hon. Mr. Cartier** contended that the Dominion Parliament, under the Union Act,

must provide for all the debts and liabilities of the several Provinces existing at the time of union, but these liabilities must afterwards under the arbitration be apportioned between the Provinces. These pensions it was clear, must be paid, and for this Parliament to rate them was not to usurp the functions of the Local Parliaments.

The item was after a lengthy debate carried.

The remaining item under the heads Pensions and New Militia Pensions were carried, the latter amounting in all to \$25,115.22.

The Committee then rose, reported progress, and obtained leave to sit again on Monday.

The House adjourned at half past one o'clock.

#### NOTICES

**Mr. Redford**—Inquiry if the Government will make arrangements with the Montreal Bank for the exportation of American silver, and what amount has already been sent out of the country.

**Hon. Mr. Howland** on Tuesday next will propose that raw tobacco shall be entered for consumption. Second, that the importer of raw tobacco, or any party to whom tobacco grown in Canada is delivered, not being a licensed tobacco manufacturer, shall give bonds that such tobacco shall be exported or delivered to a licensed manufactory under penalty of 15 cents per pound. Third, all tobacco with respect to which the requirements of law are not complied with will be forfeited.

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## HOUSE OF COMMONS

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**Monday, April 20, 1868**

The Speaker took the Chair at three o'clock.

### CONTESTED ELECTIONS

**Mr. Blake** moved that the Montreal East elections committee have leave to adjourn to the 2nd May. Carried.

**Mr. Pozer** presented the fiscal report of the St. Hyacinthe election committee. The committee reported that the sitting member, the Hon. E. R. Kierzkowski, had been duly elected for St. Hyacinthe; that the petition against him is frivolous and vexatious, and that the defence of the sitting member is not frivolous or vexatious.

**Mr. Casault** moved that the Yamaska Election committee have leave to adjourn to the 5th May. Carried.

**Messrs. Mills, Kirkpatrick, Chauveau, Gaudet, and Macfarlane, Chairman,** were sworn at the Clerk's Table as a committee to try the Berthier election.

### C. B. AND K. C. B.

**Hon. Mr. Holton**, before the orders of the day were called, stated that the return to the address for correspondence with reference to the Titles of Honour was evidently incomplete. It contained no answer, not even a letter of acknowledgement, in response to the letters of Messrs. Galt and Cartier, which formed the concluding portion of the return. He could not conceive that letters written in so grave a state on so important a subject could have been allowed to pass without reply. He wished to know if the missing parts of the correspondence would be supplied.

**Hon. Mr. Langevin** said the question if repeated to-morrow, would then be answered.

### RAILWAY INDEBTEDNESS TO GOVERNMENT

**Mr. Morris** asked if there had been any additional correspondence on the subject of railway indebtedness since the date of the return brought down a few days ago, and if

such additional correspondence would be laid before the House.

**Hon. Mr. Rose** said there had been two or three additional letters between Mr. Swinyard and the Government.

**Mr. Street** said so far as the Great Western was concerned they would like this additional correspondence to be laid before the House.

**Hon. Mr. Rose** promised that it should be brought down.

### CONTINGENCIES AND ECONOMY

**Hon. Mr. Langevin** moved that the House resolve itself into Committee of the Whole on the third report of the Standing Committee on Contingencies, which recommends reduction in the number and salaries of officers of the House, so as to effect a saving estimated at \$30,000 per annum. He said the Committee had called before them the Clerk and Sergeant-at-Arms to obtain information from them as to the position in which the expense of the House stood, and by what extent they could be safely reduced. Before entering, however, on the work of reduction they had been gratified to find that Speaker without impairing the efficiency of the service had been enabled to employ a less number of officers and messengers than were employed by the late Legislative Assembly of Canada, and to effect thereby a saving to the amount of \$7,400. They found that there were now 61 messengers. This class of employee they believed could be reduced to 40. There were 9 pages employed, a number which (he thought) was not too great. That 6 permanent clerks be discharged and the number of extra clerks be reduced by six. With regard to the department of routine and records the committee recommended that the analogous offices in the Senate should be combined with those of the House so as to form a joint department to be composed of one Chief Clerk, one Junior Clerk, one workman, and two Messengers; they recommended a combination of the department of votes and proceedings and that of the journals, so as to form one department with four officers. They recommended also arrangement with regard to the department of controverted elections, the post office, the

reading room, the library, etc., which in each case would effect a reduction in the number of employees; also that the salaries of employees receiving over \$800 be reduced 12½ per cent, but no such salary to be less than \$800. That no extra allowances or any service be granted to any permanent employees except the Speaker's Secretary, to whom the Speaker may grant \$400 per session for his special services. That the salaries of permanent messengers who now receive from \$850 to \$600, be fixed at \$600, except the Speaker's messengers and head doorkeeper, who shall receive \$700, and the fourth messenger in messengers' room who shall receive \$500; the sessional messengers to receive \$2, and the nine pages \$1.50 per day, during the session. Any new messengers appointed to fill a vacancy among the permanent messengers to receive but \$400 per annum. That in the further distribution of the patronage due regards be had to the claims of each of the three great divisions of Canada, to wit: the Maritime Provinces, Quebec and Ontario. Each member and reporter to receive stationery to the value of \$15 per session and no more. The salary of Mr. McCarthy, assistant head messenger to be \$1,000. These recommendations to take effect on 1st July next. The committee estimated that taking as the basis a session of three months a saving of \$30,000 per annum could be effected as compared with the expenditure of the late Legislative Assembly of Canada. Having thus stated the recommendations of the committee, Mr. Langevin said there had been difference of opinion as to some of them, but taken together they presented the best result the committee could arrive at. The duty of retrenchment was in some respects a painful one, as some hardship would be caused to the employees in having their salaries reduced, and in some instances their services altogether dispensed with. The committee, however, had felt bound to look only at the question what staff of officers were required for the efficient discharge of the business of the House, and what was a reasonable compensation for their services.

Mr. Johnson said he had always thought that Responsible Government meant that members of the Government should take such a course as they thought the public interests required, and then come down and ask the House to support them. But in what position were they now placed? One of the leading members of the Government, as Chairman of a committee, had been examining whether

[Mr. Langevin (Dorchester).]

officers of this House had more salary than they ought to have. If the Government thought so, why did they not undertake the duty of making a reduction? They were shirking their responsibilities. If Mr. Langevin thought \$30,000 too much had been spent, why did he not, as a member of the Government, see to this before and have the expenditure reduced?

A Member—Better late than never.

Mr. Johnson went on to say that he wanted this reduction, but the Government would have to go further and reduce the expenses, not of the House merely, but of the departments. When a minister had a deputy at 800 pounds or 900 pounds a year and 16 clerks, there must be some reduction or the country would not stand it. The clerks in the departments were so numerous that they were in each other's way, and knocking each other's heads to get here. It was time that those who had to do with public business should seek a remedy. There should be a committee to enquire into the expenses of the departments. He was a supporter of the administration, but he had a duty to discharge to his constituents and would go for putting a stop to extravagance, however his course might affect the administration or be regarded by it.

Hon. Mr. Huntington said it was refreshing to find the honourable gentleman who had just spoken indulging, as he occasionally did, in fits of independence. He believed the committee would find the House sustaining them in their efforts to bring about retrenchment. They deserved the thanks of the House and their report was a credit to them. He reserved to himself the right, however, when they went into Committee of the Whole to discuss some points in it as to which there might be difference of opinion. He would not object to the assistant head messenger having his salary raised from \$900 to \$1,000. He was sure the members generally would consider he was well worthy of it. But he did not see what justice there was in at the same time reducing the salary of the efficient door-keeper from \$850 to \$700; nor could he see the propriety of recommending a general reduction of the salaries by a certain percentage, without inquiry whether injustice might not be done to the best officers of the House, who discharged their duties most efficiently, and who, if they had pursued other walks of life, might have risen to positions of high eminence. At all events the salaries of these men should not be reduced without giving them a little warning.

**Mr. Jones (Leeds)**, said he might differ from the recommendations of the Committee in some respects, but being earnestly desirous to carry out retrenchment, he was willing that the whole report should be adopted.

**Mr. Pope** was willing that the number of officers should be reduced, but he thought it was cheese-paring economy to make a general reduction of salaries by 12½ per cent. If the work of the House was to be well done, its officers should be sufficiently paid.

**Mr. Bodwell** said the cry of cheese-paring was always the argument when any scheme of retrenchment was proposed. There was a general feeling throughout the country that retrenchment should be carried into the departments of the Government. He hoped measures would be taken to meet this feeling. He thought the present report was a good beginning. He would not be deterred by the cry of "cheese-paring". Let the cents be taken care of and the dollars would take care of themselves. He argued that those who did their duties well should be paid well, but he believed the officers of the House generally, even after this reduction, would be better paid than other men equally qualified and discharging equally responsible duties in the private walks of life. Men of education throughout the country, qualified to fill almost any position, were receiving from \$300 to \$500 for teaching school, while the messengers of this House and many men without education were to receive, even after the reduction, \$600. It was said there was great injustice in cutting down the salaries of those who had been employed by the House for forty years. This was not strictly correct. This House of Commons was a new body, the employees of the old Parliament of Canada might have some claim on account of the length of their services, but it was not the Parliament of the Dominion which was bound to recognize that claim. It was a matter for the consideration of the Provinces of Canada just as it was the Legislature of the Lower Provinces which had to do justice to the claims of the employees of those Provinces.

**Mr. Mills** remarked that the officers of this House would, after the reductions proposed by the Committee, be as well paid as those of the departments. In his opinion they should be paid on the same scale as officers of departments, and have salaries regulated as in the Civil Service Bill.

**Hon. Mr. Chauveau** alluded to the high rates of living, and although in favour of

retrenchment, was of opinion that many employees were not overpaid.

**Mr. Bellerose** objected to the non-committal remarks of the honourable member for Quebec. He (Mr. Bellerose) was in favour of paying men according to their ability to discharge their duties, and although he was in favour of retrenchment, he was not in favour of this report.

**Mr. Masson (Terrebonne)** said retrenchment was a very popular cry, but injudicious retrenchment would cause a great deal of injustice, and would not really benefit the public. He opposed the report.

#### After the recess,

**Mr. J. S. Ross** said he did not agree with the principle adopted by the committee, of taking off so much per cent from all the salaries. He believed there ought to be discrimination—that some ought to be reduced more and some less, that in making any reduction due regard ought to be had to the importance of the services of each employee. In estimating the amount of payment in these cases a comparison ought to be made with bank clerks, clerks in commercial houses, school teachers, and persons of that class, and if this were done, he thought it would be seen that the employees of that House were not underpaid.

**Mr. Speaker**, acknowledging the ability displayed by the Committee in the preparation of the Report, still felt it his duty to warn the House that the Report went too far. (Hear, hear, and applause.) While some officers of the House had been invited to give information to the Committee, others had not been, and from the results of an enquiry, instituted at his request, by an officer of the House, whose ability and zeal were unquestionable, (Mr. Wicksteed) he was able to state that so far as the duties of the House officials being less than in the old Legislative Assembly they were very much greater. He proceeded to read from Mr. Wicksteed's report, from which it appeared that the duties of French translators frequently occupied the translators fifteen hours daily in the Session, and had to be continued to their completion almost through the whole of the recess. The translators were gentlemen of high attainments, their work being very difficult as well as laborious, and requiring both close attention and large research. In the last Session of the House of Assembly the translation had covered 3,175 pages, and in the present Ses-

sion 5,630 pages, showing an increase of nearly 1,500 pages. They had been conducting the largely extended business of the country with a staff reduced by seventeen clerks from its former standard, and any large further reduction would render it impossible to continue to discharge it efficiently, and would result in the loss of the substance in grasping at the shadow (hear, hear). He proceeded to speak in high terms of the eminent abilities and the great parliamentary knowledge possessed by the clerk (Captain Lindsay) who was gifted in a high degree with the peculiar accomplishments which went to make up his specialty, who was acquainted intimately with the precedent and practice of his department, who was master of two languages, and whose duties forbade him to leave the House except weekly, and compelled his attention to close work two hours every night after the House rose. To reduce the salary of such a public servant who had held the position for years, would be in the highest degree unjust and impolitic. He also considered it a mistake to interfere with the remuneration of the Law Clerk, whose professional attainments he highly eulogised, and although knowing the officials of the House well enough to be satisfied with their honourable anxiety to perform their duties faithfully at all times and under all circumstances (hear, hear), deprecated their being placed in such a position as might reasonably cause them dissatisfaction. He specially regretted that the committee had not only recommended the reduction to be effected by the dismissal of so many employees, but had gone a step further, and proceeded to excuse all the functions of the Speaker on the premises, and indicated by name those whom they desired to discharge (hear, hear.) For his part he shrank from the necessity sought to be imposed upon him, of selecting from among the public servants those who were to be thrown out of employment, without any notice or any compensation, in a manner unknown to any respectable mercantile institution of the country. (Applause.) He stated distinctly that the proposal to amalgamate the offices of Journals and Votes and Proceedings, was one which would not work, and the contemplated postponement of the compilation of journals to the recess, would be an absurdity. He was as desirous of any member of the Committee, to see all reasonable retrenchment effected, but if in addition to the seventeen clerks already dispensed with, they were called upon to lose the services of so many more, he warned the House that at the close of the

session, when work was found to press heavily, the staff so attenuated would be incapable of performing it. In conclusion, he said that although he would endeavour, as he best might, to carry out the system as proposed by the Committee, were it to be adopted, he must protest against the principle of dismissing without acknowledgment, gentlemen whose services were valuable, and against whose conduct, in the discharge of their duties, no reproach had been ever urged. (Much applause.)

**Mr. Blanchet** said economy was the order of the day, and he was in favour of it as regarded both this House and the departments. But the dismissal of half a dozen clerks was not necessarily economy. He could not give his approval to recommendations of this report. It was proposed that the number of French translators be reduced. Any one who was familiar with the duties which devolved upon these gentlemen must be aware that their number was not too great. It was all very well for members to speak of economy; but if they were in earnest it would be still better for them to show an example. If salaries were to be reduced, let the reduction embrace the indemnity of members themselves. (Hear, hear).

**Mr. Bodwell** said the Speaker, in stating that the business of this House was greater than that of the old Legislative Assembly of Canada, had gone against the view which had been generally presented in the discussion on Confederation, that the business of the general Parliament and its expenditure would be less than those of the Provincial Parliament. In taking this ground, the Speaker had failed to inform the committee that the present was an exceptional session, and that the amount of legislation was very much greater than could be expected in ordinary sessions. The Speaker had spoken very pathetically of the hardships that would result to employees of the House by the reduction of their salaries, and of the suffering that would be caused to messengers by cutting them down to \$600. But he had shown no sympathy for the poor man in the backwoods of equal abilities, intelligence, and attainments with these men who were working for 75 cents and \$1 a day, and paying 20 per cent on the articles he consumed in order to keep up this extravagance at Ottawa.

**Mr. Casault**, after the calm and very striking statement by the Speaker, that he had carried retrenchment as far as was consistent

[Mr. Speaker, the Hon. James Cockburn (Northumberland West)]



with the efficiency of the public service, and that he would not with a smaller staff be responsible for the work being properly performed, thought the House should pause before adopting the report. He moved an amendment, to leave it to the Speaker to discharge such of the permanent officers as he might find convenient, and to provide that to those who were discharged a compensation should be granted, much as the Speaker had resolved upon with regard to the officers of that body, of one year's salary to those who had served under twenty years, and two years' salary to those who had served for a longer period.

**Hon. Mr. Chauveau** supported the amendment.

**Mr. Masson (Soulanges)** said he had been surprised to hear so many members to-day speak against economy. During the last election every speech he had read, every address issued by honourable members in all parts of the Dominion, preached economy; but to-day there was quite a different doctrine. In Ontario, economy had been well carried out by the member for Cornwall. That honourable gentleman, by the course he had taken, had earned the approbation of the great mass of the people throughout the Dominion. That honourable gentleman got the public work done by gentlemen receiving \$1,000 or \$1,200 a year, just as efficiently as similar service was done in Quebec for \$2,000 or \$2,400 a year. He regretted that the Premier of Quebec, instead of adopting a policy similar to that carried out in Ontario, had introduced a system of extravagance which must inevitably result in direct taxation. He thoroughly approved of the report of the Committee, and hoped retrenchment would also be carried through the public departments.

**Mr. Casault** said in the first part of this session, certain gentlemen went about with a round robin to have the pay of members augmented; and if he was not greatly mistaken, the member for Soulanges was one of them. The honourable gentleman had become a strong advocate of retrenchment. He expected to find him before the session was through introducing an amendment to the Bill which gave members about \$15 a day for their services.

**Mr. Masson** denied that he had gone about with the round robin referred to, and defied the honourable gentleman to prove it.

**Mr. Scatcherd** said he could not understand by what process of reasoning the Speaker had arrived at the conclusion that the work of this Parliament was greater than that of the old Parliament of Canada. He (Mr. Scatcherd) did not believe it was greater than that of the Parliament of Ontario, and yet there the work was done by eight clerks, simply because the Premier set down his foot and declared he would not agree to any extravagance. Here there must be at least fifty-six clerks. The officers of the late Province of Canada, he thought, should not, as a matter of course, have been saddled on the Parliament of this Dominion. The gentlemen from the Lower Provinces had good cause to complain that they found all the offices here filled with Canadians. They took good care, however, not to go to the Ontario Parliament for employment. He was only surprised that many of them had not gone to Quebec where such liberal views prevailed, as had been expressed by the Premier of the Quebec Government and the Speaker of the Quebec House.

**Hon. J. Sandfield Macdonald** said he was astonished that Ministers should sit quietly and allow the debate to take the turn it had without attempting to give tone to it, or telling the House what they proposed to do. For his own part, he was prepared to support the report, without saying whether he was dissatisfied at the Committee not having gone further. He was afraid, however, the report would have the same fate as had befallen every similar report for the last twenty-five years, and as would befall every such report in the future, unless the Government themselves took the matter in hand. If there was one thing more than another which had reconciled him to Confederation, it was that the people of Upper Canada got, under it, the control of their own affairs, and of their own expenditures; and what was the result? Why their Legislature got along with five permanent clerks, a house-keeper and a messenger; and at the present time these officers did not know what to do with themselves. The other day, the clerks ashamed of having nothing to do, asked to be employed in the departments. A similar cheap system could be introduced here if the Government would only take upon themselves the responsibility. He believed, as regarded this House, he had as much experience as the honourable member for West Northumberland (Mr. Cockburn) who, coming down with all the weight which his position was fitted to give him, declared that the

present staff of clerks could not with priority be reduced. He (Mr. Sandfield Macdonald) had also filled that Chair, and was prepared to take issue with its present occupant and to say that the work of this House might be performed by half the present number of employees. When he took office in 1862, he found in the Militia Department ten or twelve excellent clerks who were not required. In one day, he walked them all out and though the business of the department increased three fold from the time he took hold of it till he went out, not one man was put in the place of those who were dismissed; and yet the work was well done. He went on to narrate the results of the inquiry instituted to ascertain the state of the Customs Department throughout the country, and stated that there were some 60 or 70 whose only functions under the previous regime had been to draw their salaries. He repeated that there would be no efficient retrenchment either in the departments or in the House, unless the Government assumed the responsibility. It was now in their power to carry out a system of retrenchment, and to initiate it by adopting this report; and if the report failed, he desired to fasten on them the responsibility of its failure. The country, he believed, would hold them responsible. If the report failed, the cause of Confederation would receive a sad blow. As to the sister Province, he had nothing to say. The gentlemen who administered its Government must judge how they could best discharge their duties to their constituents; but he did think they must have a precious large income to justify their proceedings when he and his colleagues in Upper Canada found retrenchment to be so necessary that they intended to carry it still further than they had hitherto done.

**Hon. Mr. Smith** asked what justice was there in saddling the people of the Maritime Provinces with pensions for employees of the old Province of Canada, as was proposed to the amendment. It might be a painful duty to discharge any of these employees, but in a matter of this sort the public interest should be paramount to personal sympathies. He was satisfied that the staff of officers was too large. It had been said that the clerks were now fully occupied, but this was an exceptional business. In future sessions, there would not be anything like the same amount of business. Retrenchment should also be carried out in the departments, not only at the seat of Government, but throughout the Dominion. In the Lower Provinces the railway

[Mr. J. S. Macdonald (Cornwall).]

employees, and those in the Post Office and Customs Departments had been increased in number, and their salaries raised on the eve of Confederation. A career of extravagance had been entered on with Confederation, and it was time that a check should be put upon it.

**Hon. Mr. Huntington** expressed himself strongly in favour of economy and retrenchment, but thought that injustice should not be done to old servants of the public. What he particularly objected to was the reduction of 12½ per cent from all salaries. Were this reduction carried out, it was certain that a number of valuable officers would be underpaid. He would suggest to the Chairman of the Contingencies Committee a modification of the report by striking out the 7th clause proposing the reduction of salaries over \$800 by 12½ per cent. If this were agreed to, he believed the rest of the report would be allowed to pass.

**Mr. Scatcherd** expressed his surprise that the member for Shefford, who had been a member of a Liberal Administration, should have made such a proposition, which was altogether in favour of the rich and well paid officers, while the honourable gentleman had no sympathies for the poor. He would not allow 12½ per cent to be taken from the large salaries, but he had no objection to the poor messengers being cut down from eight hundred to six hundred dollars, which was a reduction of more than 12½ per cent. He hoped the Chairman would not agree to any such proposition. If he did, he might as well withdraw the whole report at once.

**Mr. Gibbs** hoped the Chairman would accept the very reasonable proposition of the member for Shefford. He would strike out the 7th clause, and allow the Committee to deal with each case on its own merits. He was as much desirous of retrenchment as any member could be. The feeling of the country was against extravagance and responded most heartily to the admirable sentiments uttered by the member for York at the beginning of the session, in moving the address in reply to the speech from the throne; but he hoped retrenchment would not stop here. Let it be appointed to all. He believed a very cursory examination of the public accounts would show opportunities for retrenchment to an amount compared with which the reduction which had been proposed to-night were exceedingly trivial.

Mr. Dufresne said he would give all his support to change the old order of things for a better one. He believed the present officers of the House to be efficient but they were decidedly too numerous. He for one could cordially support the report, believing it to be an expression on the Government's desire for retrenchment, every employee of the House came at once, on his appointment, to consider himself a pensioner of the country, and hence honourable gentlemen were pursued by scores of office-seekers. He had never countenanced these men and never intended to do so, and now that there was an opportunity of immediate retrenchment, he was glad to see the Government making a vigorous move in this direction. Unquestionably, if a reduction of this expense was not arrived at, the Provinces would drift into legislative union. For his part he trusted the Government would continue in this good work as they had begun.

Mr. Mackenzie thought it absolutely necessary to maintain the standing committee on contingencies in the matter. However, honourable gentlemen might differ as to remunerating the services of certain of the officers, something must be conceded to the committee presided over by the able Provincial Secretary. That committee had laboured to produce an efficient report on the administration of the House, and if the honourable gentlemen did not approve of every part of their reports, still he thought they were bound to accept the report and sustain the committee in endeavouring to bring the new system to perfection. He trusted a great deal to the sense of the House to remedy any error that might unintentionally be made by the committee in preparing their report and regarding what had been said by an honourable gentleman about the Premier of Ontario, he (Mr. Mackenzie) did not understand the member for Cornwall to object to the report; though that honourable gentleman did not quite agree with some of the report, he would not be found voting against it. There were undoubtedly officers connected with the House who would do credit to any place or profession, and with some of them he sympathized; but for all that, the salaries were pretty large and liberal, and though the House might not agree in every part of the report, he thought this a case in which they ought to agree with the committee, and for his part he did so with his whole heart, believing that any mistakes they might make

could be easily remedied by the House. But as sure as this report was lost, so sure would they be compelled to maintain every extravagance connected with the former Parliament of Canada. (Hear). The amendment to the Bill, if carried, would perpetuate a gross injustice. What right had that Parliament to impose pensions on all the Provinces? Besides, there were some eight or ten clerks who had not yet performed three months' service, and one only two weeks, although he had drawn his salary for the former period by power of attorney. (Laughter.) These clerks would receive a year's pension for three months' service.

Mr. Casault—Those discharged by the Speaker.

Mr. Mackenzie could only say, if the report was adopted, he hoped the Speaker would not perpetrate the gross injustice of retaining the newest clerks and discharging the oldest ones. In conclusion, the honourable gentleman strongly urged the adoption of the report.

Hon. Mr. Chauveau defended the economic administration of Quebec from the imputations with which it had been assailed, and stated that it was not large payments of salaries that would bring any of the Provinces into a deficit, but rather large undertakings under the name of public works, but really taken up to forward private interests. It was this that had brought Ontario into debt, and its absence that left to Quebec a surplus. He said that it was a shabby thing to propose a lower rate of pay to the officials of the great Dominion, which had been so loudly extolled, than they had previously received from the old Province of Canada. It was absurd to argue upon mere abstract principles devoid of human consideration, which only went to prove as usual that the *summum jus* was the *summa injuria*. He thought that if the Dominion was too poor to pay the normal salaries, they ought at least to postpone the reductions until each should fall upon a new incumbent. There were here a number of gentlemen proposed to be thrown overboard—so many Jonahs to appease a supposed popular prejudice—and he contended that the odium of their selection should not have been imposed on the Speaker. The good feeling which everywhere prevailed in Quebec was ample compensation for the care of his Administration for the interests of people of both races, and the employment of a sufficient

number of clerks, at salaries which had been unanimsously voted, to attend to with proper care to the double business.

**Dr. Parker** said he was very glad to hear they had a model Government in Ontario, and that employees there had now nothing to do; but that was readily accounted for, as all the members of that Government were away from their places—three being present in the House that night. (Laughter). He was prepared to support the dismissal of all unnecessary employees in that House, but the Committee had gone wrongly to work. There was no principle to their proposition. The great fault in this country seemed to him that the employees of Parliament all commenced at too high a figure, whereas some of the old employees really received too little remuneration. As to retrenchment, the idea was a good one, but what was the paltry retrenchment proposed in this little matter? He could not vote for such a report.

**Hon. Mr. Tilley** said that though he did not fully agree with the report, yet he would support it as a step in the right direction, and he hoped every honourable gentleman in the House desirous of seeing economy introduced would do likewise. As to the statement that by adopting the report, men who had been 20 and 30 years in the employ of that legislature would be thrown on the cold charity of the world, that was not the case, these men had not been that length of time in the service of the Dominion. (Hear, hear). And the Dominion was under no obligation whatever to employ them. (Hear). There could be no doubt that they had more employees than they required; and that being the case, they had, of course, to dispense with their services and save the money. He was astonished to hear the honourable member for Centre Wellington, who would be supposed to have been one of the foremost to have supported retrenchment speak against it. (Hear, hear). He (Mr. Tilley) hoped the report would be sustained.

**Mr. T. R. Ferguson** did not believe that any honourable gentleman voting against this commencement of retrenchment would, when he went back to his constituents, be greatly thanked for the manner in which all the talk about economy had been followed up by him. The arguments against reduction of salaries which they had heard that night, had long been sufficient to maintain them in the old Province at their extravagant standard, but there had at last come a fair opportunity for [Mr. Chauveau (Quebec Country).]

retrenchment, and it would not do to let it go by. The removal of private business to the Local Legislatures had greatly diminished the duties of that Chamber, and the economy observed at Toronto was a fair example for them to follow, and he trusted that the Government would support the committee with all their influence.

**Mr. Chamberlin** considered the objections to comment upon the report or support of the amendment as being most unfair. He could not conceive the object of going into Committee of the Whole, except to give an opportunity for such emendations. He had every confidence in the Committee, but still more so in the Speaker, who should have some authority left in his hands, as being better acquainted with the qualifications of his employees than, as the Committee themselves confessed, any of that body. It was most improper to speak of a small gratuity to an officer, summarily dismissed, as a pension. It had been made a kind of technical objection against the just acknowledgment of the claims of the public servants, that they had not been employed under the Dominion Legislature, but they had spent long years in the service of the people of the country, from whom they could scarcely have expected ingratitude.

**Hon. Mr. Smith** contended that the employees of the old Province could have no claim upon Nova Scotia or New Brunswick, and with regard to the necessity for such a staff, as the present, considered that the first session of the Confederate Parliament had brought an exceptional amount of labour.

**Hon. Mr. Huntington** defended himself from the imputation of having sneered at the labours of the Committee, to whom he gave all credit for candid and earnest enquiry. He admitted that the employees of the old Legislative Assembly had no legal claim on the new House of Commons, but they had undoubtedly worked in the service of the country, and, where they had to deal with them at all, they should deal liberally. His main objection to the proposed reduction was that it indiscriminately affected everybody, deservedly or undeservedly, and he entirely disputed the justice or expediency of curtailing the well merited salaries of their most efficient officers. After going on to speak in high terms of the merits of the Clerk and the Sergeant-at-Arms, he pointed out that they had been appointed by the Government before the meeting of Parliament, and so far

possessed that vested right which had been denied them. He hoped that the Chairman of the Committee would assent to strike out the seventh clause, (the 12½ per cent. reduction) and so render the report more likely to meet with consent from all sides.

**Mr. Scatcherd** again spoke in support of the report.

**Mr. Gibbs** hoped that the Chairman would consent to the very moderate proposal of the member for Shefford, and so obviate the necessity of dividing the House. He had been an advocate for Confederation mainly because he hoped that it would inaugurate a system of economy, and he had listened with pleasure to the sentiments on this point uttered by the honourable member for York in moving the address at the commencement of the Session. But he had been astonished to find the same gentleman sometime later objecting to the amount of indemnity and mileage proposed to be granted to members, and reflecting on the parsimony of the House because they had declined to double the amount the Government proposed. It was very much the same thing upon this subject, where a whole day had been taken up in debating what was after all a trifling matter, (hear, hear) while their own interests were left untouched and large sums voted away silently day after day.

**Mr. Gaudet** (in French) supported the report amid some applause.

**Mr. Savary** could not understand how it was to be insisted on that the report should either be adopted or rejected in its integrity. He could not consent to the indiscriminating reduction of a fixed percentage without consideration of circumstances or merits. He endorsed the position of the Minister of Customs who denied any legal and moral claims upon the House by the servants of the old House of Assembly, and would therefore, so far as the reduction of the number of officials went, sustain the report which did not go to tell any of these that they had been dismissed, but simply that they were not to be retained under the new authority.

**Hon. Mr. Langevin** declined to adopt the suggestion of modification, stating that as Chairman of the Committee he was bound to move, and would move for the concurrence in all its recommendations.

**Mr. Mills** (who rose amid loud cries of question) supported the report.

The amendment was then declared lost, and the resolution put and agreed to.

Resolutions two to six were then carried without dissent.

Upon the 7th resolution being put

**Dr. Parker and Mr. Sproat** having reiterated some of the previously urged arguments in opposition,

**Mr. Colby** declined to submit implicitly to the judgment of the Committee regarding the qualification of gentlemen with whom he himself was equally well acquainted. There were but four gentlemen receiving a higher salary than \$2,000 and all these gentlemen he had been accustomed always to hear mentioned as having been able in times of difficulty to give valuable information and assistance to the leaders of the Government or the Opposition. They were gentlemen of high social position and attainments, who were qualified to be a credit to any country. He could not conscientiously vote for any reduction of the salaries of any of these four gentlemen, nor consequently of any of those of lower remuneration, and ridiculed the principle of attempting to obtain efficient public service by offering it to the lowest tender.

**Hon. Mr. Johnson** (who spoke amid repeated and continuous interruption) having supported the resolution,

**Hon. Mr. Huntington** desired to ask the Minister for Justice whether anything had happened to change his high estimate of one gentleman affected by this resolution to whom he had, in 1865, moved an additional remuneration in compliment to the value of his services. He (Mr. Huntington) added that he would not have so far that night trespassed upon the time of the Committee, had he known that the Government was determined to carry through the report verbatim.

**Sir J. A. Macdonald** said that nothing had happened to alter the opinion he had always entertained of the Librarian, who had lately even won increased public approbation. He would take the opportunity of disclaiming Government responsibility in this matter of House appointments which had always been regarded jealously by the House.

After some remarks from **Hon. J. S. Macdonald** in reply,

**Mr. McDonald (Antigonish)** doubted whether the adoption of the report, being essentially

a money vote, could be entertained except when introduced by message. He would submit the point to the Speaker when he took the Chair.

**Sir J. A. Macdonald** explained that the estimates had already provided for a larger expenditure than any draw proposed.

The resolution was then put and carried on a division of 92 to 37.

Resolutions 8 to 17 were then agreed to.

On the 18th resolution providing for the increase of the Assistant Head Messenger's salary from \$900 to \$1,000.

**Mr. Mackenzie** moved that the resolution be struck out, being unable to understand the principle on which the salaries of able, and talented, and educated gentlemen were to be reduced, and that of any messenger increased from what had been a very high rate before.

**Mr. Gibbs** asked an explanation from some member of the Committee. The only one that suggested itself to him was a desire to place Mr. McCarthy on an equal footing with the Speaker of the House at Toronto. (Loud laughter.)

[Mr. McDonald (Antigonish).]

**Mr. Ferguson** said that Mr. McCarthy had been thought deserving of a salary more nearly approaching that of the Head Messenger than he had been receiving, and thought that \$100 was hardly worth while making such a fuss about.

**Sir John A. Macdonald** said that objection did not apply, because there was no increase of burdens on the people by this report. The changes were all reductions. Moreover, the Governor-General, by message, had recommended these appropriations in the estimates. Thirdly, the clause referred to had never been held to apply to the contingencies of the House.

**Mr. McDonald (Antigonish)** contended that the salaries fixed in the report were not reductions, but were all new salaries, created now for the first time.

The Speaker decided against the point of order.

The report was then adopted, and the House adjourned at one o'clock.

# HOUSE OF COMMONS

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Tuesday, April 21, 1868

The Speaker took the Chair at three o'clock.

## FIXING SALARIES

**Sir J. A. Macdonald** moved that the House will to-morrow resolve itself into Committee of the Whole to consider resolutions respecting the salaries of the Deputy of the Minister of Militia and Defence, and others. Carried.

## IMPORTATION OF TOBACCO

**Sir J. A. Macdonald** moved that the House will to-morrow resolve itself into Committee of the Whole to consider resolutions respecting the importation of tobacco. Carried.

## FURTHER ESTIMATES

**Hon Mr. Rose** brought down a message from the Governor-General, transmitting to the House of Commons further estimates of the sums required for the service of the Dominion for the year ending 30th June, 1868, as follows:—Legislation, \$13,500, being additional; on account of printing, \$10,000; do. mileage to members, \$1,500; do. expenses of committees, \$20,000; Militia, additional on account of clothing, \$15,000; public works, \$42,500, being additional, (on account of St. Peter's Canal, N.S., \$17,500; construction and repairs of lighthouses, Nova Scotia, \$25,000.)

## ON FISHERIES

**Mr. Fortin** presented the second report of the Select Committee on Fisheries and Navigation, as follows:—Your Committee having taken into consideration the subject of licensing of foreign vessels engaged in the Gulf and sea fisheries, are of opinion that a tonnage fee of four dollars per ton should be imposed on American vessels fishing in Canadian waters, and such fees on small vessels or boats engaged in the coast fisheries as will be proportioned to the tonnage fee on the large vessels; also that a sufficient force should be employed to enforce the due payment of such fees or prevent non-licensed vessels in those waters, and that provision should be made for the distribution of the

money derived from such tonnage due by a system of bounties or otherwise for the benefit of the fishing interest. Your Committee would respectfully urge upon the Government of the Dominion the expediency of endeavouring to secure concerted action with the Government of Prince Edward Island in the importation of the tonnage fees on American vessels, and the protection of the fisheries in the Gulf of St. Lawrence.

## C. B. AND K.C.B.

**Hon. Mr. Holton** enquired if the Ministry were to bring down further correspondence as to the dignities conferred on members of this House, in addition to the papers already brought down.

**Hon. Mr. Langevin** read the following answer:—

I am authorized to state that the Governor-General acting as an Executive officer of the Imperial Government, reserves to himself the right of withholding from Parliament any documents the publication of which might in his judgment be prejudicial to the public service. With respect to communications from the Secretary of State for the Colonies marked 'private' or 'confidential', it is not competent for the Governor-General to give copies of such correspondence to Parliament without the express sanction of the Secretary of State. This rule, of course, equally applies to letters written by the Governor-General to third parties communicating confidentially to them, or referring to the contents of 'private' or 'confidential' letters from the Secretary of State, and to answers to such letters received by the Governor-General.

**Hon. Mr. Holton** asked if the Secretary of State would place on the table the communication just read that it might be entered on the minutes.

**Hon. Mr. Langevin** said the statement he had just made was of the nature of an ordinary answer to a question by a member and must take the ordinary course. That is, it would be published in the newspapers.

**Hon. Mr. Holton** said it was of a much more formal nature than the answers usually given to question put across the House. The answer was read from a manuscript, and began with the grave official formula—"I am authorized." Authorized by whom? Of course, by the Governor-General. It was of the na-

ture of a communication from the Head of the Government to the House, and as such should be entered in the minutes.

**Sir John A. Macdonald** said there could be no objection to the House being put in possession of the answer in some form or other. His honourable friend, however, did not see his way clear at this moment to agree to the suggestion of the member for Chateauguay as to the particular way in which the House should be put in possession of it.

#### HON. MR. CARTIER, A BARONET

**Sir John A. Macdonald**—*Apropos* of this matter as it related to K.C.B.'s, C.B.'s, and other things of that kind, he (Sir John) had to make an announcement which would be received with gratification by every member of this House, namely, that Her Majesty had been graciously pleased to announce her desire and intention to confer on his honourable friend the Minister of Militia, the rank and dignity of baronet of the United Kingdom. (Cheers). He would further state, and he was sure the House would receive this announcement also with satisfaction, that Her Majesty had been graciously pleased to appoint his honourable friend the Secretary of State, a Companion of the Bath.

**Hon. Mr. Holton** said he must sincerely congratulate the Minister of Militia on this distinguished and well deserved mark of favour from our Most Gracious Sovereign. (Cheers). Returning to the question before the House, he again contended that the communication from His Excellency should be entered in the minutes, with a view to ulterior action; for he took it for granted that the very grave remonstrances addressed to Her Majesty's Imperial Government, could not be allowed by this House to pass unnoticed. He hoped the Government would be prepared on an early day to say what action, if any, they intended to ask the House to take on these papers. He looked to the Government as the responsible leaders of the House, to take the action which the circumstances seem to call for.

**Hon. Mr. Chauveau** congratulated the Minister of Militia on the dignity about to be conferred on him. At the same time, he must express the wish that whatever difficulty might now be in the way, the honourable gentleman who had so long represented the English element of Lower Canada in the Government, and had been so long at the

[Mr. Holton (Chateauguay).]

head of the Finance Department would also have some honour conferred on him. In saying so he was sure he expressed the feelings of all his countrymen of French origin.

**Mr. Mackenzie** hoped the new baronet would also accept his (Mr. Mackenzie's) congratulations on his newly acquired dignity. He had not the good fortune to agree with him in his public course generally, but if any man by hard work and devotion to the interests of his country had ever earned such a dignity it was the Minister of Militia, and he had no doubt his fellow countrymen, generally, east and west, would join in congratulating him on the acquisition of what in the estimation of all men was an honour highly to be desired. At the same time, he must join the Premier of Quebec in remarking that the present and the ex-Minister of Finance had been left alone untitled. He said he would like to condole with both Ministers, but did not see his way clear to doing so as to the ex-Minister, as that honourable gentleman had refused the dignity.

**Hon. Mr. Rose** remarked that his honourable friend's condolence, so far as he (Mr. Rose) was concerned, was entirely thrown away. If there was any member of this House who more than another unqualifiedly rejoiced at the elevation of the Minister of Militia, he (Mr. Rose) claimed to be that member. He had known his honourable friend for more than 20 years, at the Bar, as a politician, and as a personal friend, and no one could congratulate him more sincerely than he did. He would say also that he believed there was not an Englishman, Scotchman or Irishman in Lower Canada who would not rejoice that this dignity had been conferred on the Minister of Militia as heartily as did his own countrymen.

**Dr. Parker** also offered his congratulations, and said he was sure that the announcement would be well received in the Province of Ontario. He was pleased that this act of justice had been done, although done somewhat tardily. Reverting to the question formerly before the House, he said that the memorandum which had been read raised some very important questions. One point was that His Excellency reserved to himself the right of withholding from this House a certain class of communications. It was a matter of importance whether, under our system of Colonial Government, the representative of the Crown was to have a power above his advisers, and might refuse to sub-



mit to Parliament documents which his Ministers by their action in this House had said to Parliament would be laid before them.

**Mr. Masson (Soulanges)** briefly tendered to the Minister of Militia his congratulations on his receiving the dignity now conferred on him.

The matter then dropped.

#### Dr. TUPPER IN ENGLAND

**Hon. Mr. Dorion** asked if Government had any information to lay before the House with regard to Dr. Tupper's proceedings since his arrival in England.

**Sir J. A. Macdonald** said the Government had no information on the subject.

#### OATH OF ALLEGIANCE

**Sir J. A. Macdonald**, in Committee on this Bill, stated that after mature reflection he had decided on retaining on Bill the longer form of Oath of Allegiance, instead of the short form, given in the Union Act, that shorter form was merely a formal renewal of Oath of Allegiance. The longer form was more suitable for administering to those who took the oath for the first time, as it defined more fully what the allegiance sworn to was.

The Bill was read a third time and passed.

#### CURRENCY BILL

On motion of **Hon. Mr. Rose** the Bill respecting the Currency was read a second time, and referred to Committee of the Whole to-morrow.

#### PRIVILEGES OF PARLIAMENT

On motion of **Sir J. A. Macdonald** the Bill to define the Privileges of Parliament was read a second time, considered in Committee of the Whole, and ordered for a third reading to-morrow.

#### CONTINGENCIES

**Hon. Mr. Rose** moved the Bill respecting Contingencies of Departments to be read a second time, and referred to a Committee of the Whole to-morrow.

**Mr. Young** said the Minister of Finance was entitled to every credit for introducing a Bill of this kind. He thought it would be a great improvement on the existing system. He hoped, however, a clause would be introduced requiring the printing of the public departments to be given out by tender.

**Mr. Mackenzie** said when the Bill was introduced he had asked the Minister of Finance whether he intended to apply the provisions of the Act to the printing of the departments, and the honourable gentleman said he would consider the matter and announce his intention at the second reading. The printing was a very large item. There were appropriated this year for contingencies of departments, \$187,000 in all. Probably one-sixth of this sum would be expended on printing. He hoped a clause would be inserted in the Bill giving the Auditors control over the printing. In past times there had been a great abuse in this matter. Extraordinary accounts for printing had been rendered to the departments and had been paid by the departments without any supervision by the Directors. If these accounts were submitted to the auditors of the Dominion, they would be much more likely to be moderate and proper.

**Hon. Mr. Rose** said the 13th clause of the Bill required each deputy head to furnish to the Finance Department an estimate of the probable quantity of stationery, etc., which would be necessary, and of the probable amount of printing and binding.

**Mr. Mackenzie**—That does not meet the case at all.

**Hon. Mr. Rose** said the service must be ordered before its performance by the deputy head, and that the Clerk of Contingencies was required to certify that the price asked for the service performed was reasonable. If he was in doubt he referred it to the Auditor, and if the Auditor was in doubt he referred it to the Board of Audit.

**Mr. Mackenzie** did not think this was sufficient. He would probably be able to show when the House was again in Committee of Supply, that officers of departments were in the habit of certifying things to be reasonable which were most unreasonable. He wanted these accounts to pass, as a matter of course, under the supervision of the Auditor, who was the only officer that could be properly responsible for their correctness. The auditors in matters with which they were not practically acquainted, were in the habit of receiving such information from practical men as would enable them to decide on the merits of any account. The clerk of Contingencies had no authority to do so, and if he attempted anything of the kind it would be considered an inquisitorial act, to be resented by the parties presenting the accounts. In the case of

the auditor whose duty it was to see that all the accounts were of such a nature as ought to be paid, no such difficulty could arise.

**Mr. D. A. McDonald** hoped the Government would purchase all the stationery required for the Departments, and not, as at present, allow each Department to purchase piecemeal. In looking at the public accounts for one year he found the expenditure for pens alone set down at \$1,400.

**Hon. Mr. Rose** said the Government would purchase the stationery.

**Mr. Young** said that most extraordinary items crept into the accounts at times. One employer, for instance, was paid a sum to replace his hat, which he had lost. (Laughter.) He (Mr. Young) advocated fixing a scale of prices in printing, and thought many other improvements might be made.

The Bill was read a second time and ordered to be referred to Committee of the Whole to-morrow.

#### GEOLOGICAL SURVEY

The House went into Committee on the Geological Survey resolutions, Mr. Morris in the Chair.

**Dr. Parker** disapproved of the way in which this vote was taken. It should be done by an annual grant, and not by voting a sum *en bloc* for the service to extend over a number of years. He did not quarrel with the amount, but the mode in which it was obtained. How long would this survey take to complete it? There was one thing to which it would be well to draw attention, and that was that certain parties managed through someone of the geological staff or other to obtain important information in advance regarding the mineral wealth of the country.

**Hon. Mr. Rose** could not answer the question of the honourable member for Centre Wellington. As to the course of the Government, it was he (Mr. Rose) conceived, the best under the circumstances, and would tend to further the objects of the survey.

**Mr. Mackenzie** said he gave no vote more cheerfully than his vote in favour of the amount necessary to conduct this important survey.

**Hon. Mr. Rose**, in reply to the member for Centre Wellington, said that on the geological staff, as elsewhere, there might have been found some who abused their trust, but the head of that department was not the man to countenance such a course for a moment.

[Mr. Mackenzie (Lambton).]

**Mr. Bodwell** spoke at length on the importance of these surveys.

**Mr. Mackenzie** did not understand the member for Centre Wellington to make any allusion to the head of the department, but merely to complain that secrets had leaked out.

**Dr. Grant** spoke favourably of the survey.

The Committee rose and reported the resolutions on the question of concurrence.

**Hon. Mr. Holton** maintained it was not competent for the Speaker to put the question of advancing a money measure a second stage in the same day.

The report was ordered to be received to-morrow.

The House rose at six o'clock.

**After recess,**

**Hon. Mr. Cartier** moved the second reading of the Bill respecting militia and defence of the Dominion of Canada. The honourable gentleman in accordance with his promise addressed the House in French in explanation of his measure, and subsequently spoke in English, while detailing the expense to be incurred under it, and the sum which he proposed to expend on fortifications. For that purpose, he proposed to borrow annually for five years, under the Imperial guarantees, at four per cent and one per cent sinking fund, the sum of 220,000 pounds sterling, and the annual charge on the amount would be—1st year, \$53,533; 2nd year, \$107,066; 3rd year, \$160,601; 4th year \$214,133; 5th year, \$267,666, and thence forward at the latter annual rate for about 30 years. By this measure which he brought down, he would satisfy the House that the ordinary expenditure to maintain the Militia force efficient, would be only \$900,000—say \$1,000,000—then, with the highest expenditure on fortifications it would only amount to \$1,267,000; whereas during the last 4 years there had been spent on an average something like \$500,000 a year. Under the new system they would have fortifications and better Military organization at a cost of at the most \$1,257,000 a year, and the cost would not even reach that amount during the first four years. After the 5th year the annual rate would remain the same for 28 or 32 years, according as the sinking fund was invested, at 5 or 6 per cent; then the charge would diminish as the sinking fund increased. The annual payment would diminish for five years in the reverse order in which it in-

creased during the first five years, so that the entire debt would be extinguished in 38½ or 42 years just as the sinking fund was invested at 5 or 6 per cent.

In a few days he might bring before the House a resolution to appropriate the necessary amount under the Imperial guarantee. With regard to the expenditure of \$1,000,000, he would explain that the sum of \$190,000 or \$200,000 would be spent in New Brunswick; \$420,000 in Montreal; and the remainder in Upper Canada, between Kingston, Toronto, Hamilton, and Paris or London. With these remarks he moved the second reading of the Bill.

**Hon. Mr. Gray** said it appeared to him that the whole thing resolved itself into two single propositions. First, was the burden proposed to be entailed by the Bill what the country could or ought to bear; and, secondly, was the Bill so drawn as to make the burden bear as lightly as possible on the people. For every man, woman and child in England there was an expenditure of \$4.80 per head last year, and this year it would be still more, on account of the Abyssinian expedition. In 1864, in the United States, the cost of the army and navy was 193,000,320 pounds or 9 pounds five shillings per head. During 1866, the tax per head was \$16.80. The following year the tax per head was \$19.70; this amount was merely for the regular army, in fact the expense in the Dominion for these purposes was far less than similar expenses in any country which he could name. Taking simply the organization of the militia, as proposed by the Bill, they found that the estimated expense per head of the population was but \$2.50, and this was less than the expenditure in any other in the world, with which they could be at all compared. But the measure was objectionable in some respects; he objected to the following items in the Bill:—In the 36th clause a power was provided that the Commander-in-Chief might appoint any officer of the regular force, whatever his rank and put him over the colonel of militia. The officer in command of Her Majesty's army was not responsible to the people and should not certainly make such appointment. Another objection had reference to the calling out of the men, and the stipulation with regard to pay, in which it was provided that the privates were to get a certain sum and the officers no more. Now it was absolutely essential that there should be a distinction between the officers and privates. He would say either pay the officers more or do not pay them at

all. The Bill, with these exceptions, was altogether such as should commend itself to the House and country. The pecuniary burden per capita which it entailed, was but 25 cents per head; and the term of service but two or three weeks in a couple of years.

**Mr. Masson (Terrebonne)** said he had been favourably disappointed by the Bill of the Minister of Militia. The idea had gone abroad that the Minister of Militia had the same ideas as in '62, and that we were to have a standing army. He was glad this had turned out to be incorrect, and that, instead of having a general conscription, the conscription was to be limited to 40,000 men. He was glad, also, that ideas had changed in England with regard to the force we ought to maintain. A few years ago, the Imperial Government insisted that the late Province of Canada should have an embodied force of 50,000 men. Now they were not so exacting, for we must presume that the Minister of Militia, before presenting this Bill, had satisfied himself of the assent of the Imperial Government to its principal provision. He approved of the provisions of the Bill with reference to filling up the ranks of the active service companies. He believed it might be assumed that the volunteer principle would not be sufficient to fill these companies, and the principle of conscription be admitted, he thought the provisions should be adopted for carrying it out. Under another system he believed there would be a sufficient number of volunteers, if the sedentary Militia, comprising all the unmarried men over 18, were required to drill 6, 8 or 10 times a year. Then the young men of the country, as they would be required to give Militia service in any case, would be more ready to volunteer, but under the present system as to the sedentary Militia a sufficient number of Volunteers could not be expected. Quoting from a French military authority, Mr. Masson proceeded to say that there were four essentials to a good military organization: good finances, good stores, special corps well drilled and organized, and a good mode of recruiting. As to the third point, he remarked that special corps—those of artillery, etc., could not be made effective by 8 or even 16 drill days in a year. On the fourth point he said he would have the whole 40,000 taken from the unmarried men. If in case of need a larger number were required, he would take them from the same class; and if still more were wanted, then he would take them from the married men, up to the age of 45 years.

From these two classes 200,000 men might be put into the field. He would also require all the service militia—that is the men from 18 to 45—to be called out for drill once a year as formerly, that they might know their officers.

Mr. Cartwright said that before discussing the Bill now under consideration, he wished briefly to examine the position in which we now found ourselves with respect to the defence of the country, what the outlay had been under the existing system, and what had been the result. He found that in the six and a half years from 1861 to the middle of the present year our militia expenditure was \$60,565 and the net result of this expenditure had been 205 available volunteers, to obtain whom we had expended the gross sum of \$300 per head. The working of the existing system he considered to be an exemplification of the system of being penny wise and pound foolish. The system, judged by the events of 1866, did not yield the results which should be looked for from an efficient militia system. Our credit in England had never recovered the shock it received from the unqualified rejection of the Militia Bill of 1862. The indirect losses we had thus sustained had been very serious. When we first took up this question the people of England were willing to have aided us in a liberal manner if we had only shown our own willingness to bear our share of the burden to a moderate extent. The despatch for which the member for Cornwall took so much credit and in which he had the pleasure of snubbing the statesmen of England, had very materially altered that feeling and had placed us in the position of having to pay 7 or 8 per cent, for any money we required to raise in England. As regarded this Bill he did not mean to say that there were not many valuable features in it; but in one point he did take issue with the Minister of Militia. He did not believe he could give men any respectable measure of efficiency with the amount of training he proposed to give them. He would urge on the Minister of Militia to make some practical experiment to ascertain what amount of training was necessary to make men reasonably efficient, or failing this, that he should issue a commission to skilled military men to inquire into and report on the subject. For his own part he had no faith in its being possible to make an efficient force unless the men composing it were drilled for several months continuously. He would not insist on six months, but he thought there should be three months drill at least. An experienced commission in England had reported that men could not be kept in a

[Mr. Masson (Terrebonne).]

reasonable state of efficiency with less than a month's drill per annum, following a continuous preliminary training of at least 60 days. He did not think the people of Canada had been fairly represented in this matter, and did not believe there was in their minds any aversion to such a period of service as this House, after due deliberation, should say was needful. Instead of attempting to drill a vast number of men, he would drill the militia by instalments of from 10,000 to 20,000 per annum, taken from the youngest unmarried men from 18 to 21 or 18 to 25. This would involve the subjecting of every single able bodied man to undergo a military training of three months. He would allow no exemption whatever from the service, except for the two causes of physical disability and the necessity of maintaining helpless relatives. In a few years, on this method, we would have a force that would realize the boast of the Minister of Militia the other evening, that he could muster 700,000 men able and willing to defend their country. He would allow the men the same remuneration as the English Government allowed its soldiers, and on this scale, the expense would not exceed a million dollars per annum.

Mr. Bowell contended that with a proper Bill the volunteer system could be maintained, and that for the expenditure proposed by this Bill it could be maintained efficiently. The provisions of this Bill, he thought, would tend to destroy the volunteer force. The provision that volunteers should serve three years, and the drafted men two years, was a premium to men to wait for the draft. He objected to having a permanent salaried medical officer in connection with the department. The proposition to pay Volunteer officers 50 cents a day for drill was an insult to them. To a man who had spent his hundreds and thousands of dollars in uniforming and keeping his corps efficient such an offer was an insult to his manhood and his loyalty. He thought if the Military Schools were to be made efficient, they should not be confined to two or three cities, but should be changed from city to city and from town to town.

Sir George E. Cartier having moved the adjournment of the debate,

Hon. Mr. Dorion asked how it had happened that the agreement with the Imperial Government for the construction of fortifications hinted at in the speech of the Hon. Minister, had not found its way into the correspondence brought down on the motion of the honourable member for Terrebonne.

**Sir George** pointed out that the construction of these fortifications had been stipulated for in the negotiations prior to the accomplishment of Confederation. The points for defence had been selected in accordance with the recommendation of Col. Jervois, and he did not suppose that any member of the House would desire this confidential report to be made public to the possible advantage of the enemies of the country.

**Mr. Mackenzie** desired further information, and was surprised to find the Government desiring to keep back any details of so important an agreement.

**Sir George E. Cartier** denied that there was any desire to keep back any information to which the House was entitled. It would be found in the published despatches that the Imperial Government had undertaken the completion of the Quebec defences, on condition of the Canadian Government fortifying the western posts efficiently. There was no other communication on the subject whatever.

The debate was then adjourned, and the House rose at twelve minutes to one this morning.

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## HOUSE OF COMMONS

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Wednesday, April 22, 1868

The Speaker took the Chair at three o'clock.

### INDEMNITY TO MEMBERS

**Mr. Chamberlin** introduced a Bill to amend Act of present session entitled an Act Relating to the Indemnity to Members and Salaries of the Speakers of both Houses of Parliament. (Cries of "Explain, explain"). He stated that by this Bill he proposed to fix the indemnity of members after the present session at \$450 for a session of 60 days, and at \$5 a day if the session should fall short of 60 days.

**Mr. Jones (Leeds)** asked if this was a proposition similar to that of which the honourable member gave notice in the early part of the session, and with reference to which he found it convenient to be absent when the time came for moving it.

**Mr. Chamberlin** said he had found it very inconvenient to be absent on the occasion referred to. He hoped to be present, however, when this Bill came up for discussion, and he hoped the honourable member would find it convenient to vote with him.

**Mr. Jones** said the notice of motion given by the member for Missisquoi had prevented other members from moving amendments to the Indemnity Bill, and it was most extraordinary if he had wished it to pass that he should have been absent when the time for moving it came.

**Mr. Chamberlin** said if the honourable member for Leeds, or any other honourable gentleman desired to insinuate that he was purposely absent on that occasion he insinuated a falsehood.

**Mr. Jones** said he had insinuated nothing, but had stated a fact.

**Mr. Bellerose** said the introduction of this Bill was an insult to the House. On Monday night, when the House decided to adopt the report of the Contingencies Committee, the member for Missisquoi threatened to punish members by putting such a motion on paper

as would compel them to vote for reducing their own salaries. He (Mr. Bellerose) was quite at liberty to vote against it. At his election, his opponent said he would do the work for two dollars a day. He (Mr. Bellerose) told his constituents that if they thought \$2 a day would pay him for his services, they might elect his opponent. But that if they wished to elect him they must leave him free to vote for \$6, \$8 or \$10 a day. He was elected on that understanding, and he could therefore vote independently on this question. He (Mr. Bellerose) continued to speak for some time against reducing the pay of members, using very strong language and enforcing his arguments by vehement thumping of his desk. He declared that rather than consent to receive \$5 a day, or \$450 for the session, he would support a resolution that the members should serve their country for nothing.

**Mr. D. A. McDonald** said that the honourable member for Laval had spoken very feelingly on the subject. If he had spoken on the hustings with as much vehemence as he had spoken to-day, he was not surprised at his being elected. His constituents would have been frightened to vote against him. (Laughter). The honourable gentleman was a member of the Quebec Legislature, and was satisfied to receive there \$450 for the session, or \$5 a day. He did not know that the honourable gentleman's services were worth any more here than they were at Quebec. (Hear, hear). He begged however to tell the member for Missisquoi, that there was no hope of his measure carrying. If members would make buncombe speeches in support of it, and then in committee the yeas and nays were not reported, would destroy the Bill.

**Mr. Johnson** urged upon the Government their duty to introduce a general measure of retrenchment. He did not think however they should interfere with the indemnity of members who received less than their own door-keepers.

**Mr. Chamberlin** assured the House that he had not introduced this Bill as a piece of clap trap. He did not look on this indemnity to members as pay for their services. He should

be ashamed to rate his own services at \$600. The indemnity he looked upon as a fair remuneration for their actual expenses, and five dollars a day, or \$450 a session was sufficient for that purpose. The member for Leeds said he had made no insinuation, but only stated a fact. What he said was that he (Mr. Chamberlin) had found it convenient to be absent on the occasion referred to. He (Mr. Chamberlin) begged to state emphatically that that was not a fact.

**Mr. Jones** said if the honourable gentleman was not conveniently absent he must have been inconveniently absent. (Laughter). He proceeded—in order to give the House an idea of the honourable gentleman's economical ideas—to read the correspondence between Mr. Chamberlin and the Government when he was securing the contract for the British American Bank Note Company, and quoted from the public accounts, various amounts paid to the company of \$7,500; \$5,000, and \$9,901.

**Mr. Cartwright** said the honourable gentleman should also have read the report made by the Crown Land authorities on the survey of a certain township called Canonto. (Laughter).

**Mr. Jones** rose to explain.

The **Speaker** said the honourable gentleman could not speak again. He then put the question, which was that the **Bill** be read a second time on Monday, and declared it carried.

**Mr. Jones** to have an opportunity of speaking, said he would move that the House adjourn.

The **Speaker** said he could not do so. When he was speaking on another question he could not move the adjournment.

**Mr. Mackenzie** said in order to give the honourable gentleman an opportunity to explain, he (Mr. Mackenzie) would move the adjournment.

The **Speaker** suggested to the member for Lambton that he should not persist in this motion. It surely could not be his desire to protract a discussion which had already wandered far from the point originally before the Chair.

**Mr. Mackenzie** said he had asked the honourable gentleman to postpone his re-

[Mr. Chamberlin (Missisquoi).]

marks to another occasion, and he had consented to do so. He therefore would not press the motion.

**Mr. Chamberlin** begged to move that the House do now adjourn to give him an opportunity of replying to Mr. Jones' attack. He stated that on behalf of the Bank Note Company he had endeavoured to get the best contract for them he could. He did not think, however, that it was an unfair contract, and he would be glad before the public accounts committee or otherwise to meet the honourable gentleman and enter into the particulars of the whole transaction. When he sought election to this House, he made a *bona fide* transfer of the whole of his stock to one of his partners and had now no interest in the Company.

**Mr. Jones** seconded the motion for adjournment in order to have an opportunity of explaining the Canonto transaction. He stated that a committee, a majority of whom were his political opponents had investigated the whole affair and had exonerated him from all blame. The member for Lennox was a member of that committee.

**Mr. Cartwright** said it was possible his name had been put on the committee, but he was certain he never sat on it.

**Mr. Jones** only hoped the honourable gentleman could exonerate himself as well from his connection with the Commercial Bank. (Laughter).

**Mr. Rymal** regretted that this matter of the indemnity of members, after having been settled by a measure introduced by the ministry and approved of, he believed, by nine-tenths of the House, should have been brought up a second time this session. At the commencement of every Parliament the retrenchment hobby was made to figure in our circus. Some daring rider undertook to put him through his paces and show how thoroughly he could balance himself on the refractory animal. (Laughter). But he would tell the member for Missisquoi, that he had never seen one of those daring riders who had not been thrown eventually if not sooner. (Laughter). He hoped the influence of the Ministry, whom the honourable gentleman supported, would be brought to bear on this daring equestrian, to persuade him that he ought not to fly in the face of his friends. In his own person, he (Mr. Rymal) had fought out this battle some time ago. It had been



brought against him at one of his elections that he had gone for six dollars a day; but although his constituency was as economically disposed as any in the country, they were satisfied he had done right and had sustained him. He hoped his honourable friend would give up his hobby, and allow it to be mounted by some one else who had a greater desire to be thrown into the horse ponds. (Laughter.)

**Sir J. A. Macdonald** said he was sorry his honourable friend from Missisquoi had introduced this measure, and would vote against it. He thought it was a reflection on the House; but of course his honourable friend in the exercise of his responsibility as member of Parliament, had a right to introduce it, and his motives in doing so should not have been impugned.

The motion for adjournment was then withdrawn.

#### VERCHÈRES ELECTION

**Messrs. Bodwell, Coupal, Drew, Brousseau, and John Crawford**, Chairman, were sworn as the Committee to try the Verchères Election.

#### BERTHIER ELECTION

**Mr. Macfarlane**, from the Berthier Election Committee, reported the following as their unanimous determination and final report that the sitting member, Mr. Paquet, has been duly elected. That the petition against him was frivolous and vexatious. That the defence of the sitting member was neither frivolous nor vexatious.

#### QUESTIONS

##### HARBOUR OF REFUGE WANTED

**Mr. Masson (Soulanges)**—Whether it is the intention of the Government to include in the estimates to be submitted to the Commons, a sum of money for the construction of a harbour of refuge at the head of the Coteau Rapids in the St. Lawrence, for the protection of life and property as asked by A. Allan and other proprietors of steamboats, and others, in petition to the House, the Government of the late Province of Canada having, in 1857, recommended the expenditure of a certain sum of money for that purpose?

**Hon. Mr. McDougall** said a petition had been received, asking for the construction of a harbour of refuge at the head of Coteau Rapids, and the Department of Public Works

had instructed its officers to make the necessary inquiries. The inquiries had not proceeded so far as to call for an appropriation for the purpose to be placed in the estimates.

**Mr. M. C. Cameron**—Whether the Government intend doing anything, and if so, when and what, towards the construction of a harbour of refuge on the East coast of Lake Huron, there being at present no safe harbourage on that coast for the protection of vessels engaged in the commerce of the Lakes, or for the safety and protection of Her Majesty's gunboats stationed there. Three several Select Committees, appointed by the House of Assembly of the Province of Canada, having, on three several occasions, reported strongly in favour of such a harbour?

**Hon. Mr. McDougall** said Government had decided to place in the estimates an appropriation for the improvement of certain lake harbours without, however, having determined the particular localities in which these harbours should be improved. The improvement of harbours on Lakes Erie and Huron would be one of the subjects to which the Government would address itself in deciding as to the expenditure of this money.

#### WITNESSES' PAY

**Mr. Harrison**—Whether it is the intention of the Government to make provision for the payment of witnesses in criminal cases in all parts of the Dominion?

**Sir J. A. Macdonald** said it was not the intention of Government to make provision for the payment of witnesses in criminal cases. That was a subject which was within the Province of the Local Governments.

#### CHARGES ON CANADIAN TONNAGE

**Mr. Stephenson**—Whether the Government have taken any steps, by communication with the Government at Washington, through the British Minister or otherwise, to obtain a remission of the charges now collected on the Tonnage of the Dominion entering American ports, and on which corresponding charges are not made on American Tonnage entering Canadian ports; also, whether the American Government have consented to the remission of such charges, and in case they have not agreed to do so, whether it is the intention of the Government to impose upon American Tonnage entering the ports of the Dominion, charges corresponding with the

charges made upon British Tonnage entering American ports, and whether the Government propose, during the present Session, introducing any measure in relation thereto?

**Hon. Mr. Rose** said when the proper time came the Government would not fail to urge their views with reference to the charges now collected on the tonnages of the Dominion entering American ports, and on which corresponding charges are not made on American tonnage entering Canadian ports.

#### OUR GUNBOATS

**Mr. McCallum**—Whether it is the intention of the Government to man the Provincial gunboats with men from the Royal Navy, as formerly, or with men from the Volunteer Naval Companies?

**Sir G. E. Cartier** said the Government intended to have the Provincial Gunboats manned as formerly. There had been a gunboat chartered by the Government, however, the *Hercules* which would not be manned as formerly.

#### GREAT WESTERN RAILWAY

**Mr. Oliver**—Whether the Government has decided to press for the payment of claims due by the Great Western Railroad Company to the Government?

**Hon. Mr. Rose** said the Government would in this as in other matters, take every reasonable and proper means for the preservation and protection of the public interests. The House was in possession of the correspondence which had taken place on the subject.

#### SILVER NUISANCE

**Mr. Redford**—Whether it is the intention of the Government to make any arrangement with, or recommendation to, the Bank of Montreal to purchase American silver and send it out of the country,—or have they done so? And if so, what amount has been sent out of the country and what is the rate of discount recommended?

**Hon. Mr. Rose** said it had been the desire of the Government in the past, and was their intention in future to make all arrangements in their power to lessen the inconvenience which had hitherto resulted to the public from the excess of silver currency.

[Mr. Stephenson (Kent).]

#### LAKE HURON

The motion of **Mr. M. C. Cameron** for an address for information respecting the construction of a Harbour of Refuge on the east coast of Lake Huron was withdrawn upon Mr. McDougall's stating that all the official reports upon the subject had been already sent down.

#### FISHERIES

On the motion of **Hon. Mr. Chauveau**, the petition of J. B. Renaud and others was referred to the Special Committee on the Fisheries.

#### BANKING COMMITTEE

**Mr. Oliver's** motion to add the name of Mr. Jones, (Halifax,) to the number of the Select Committee on Banking and Currency was, at the request of the latter gentleman, withdrawn.

#### VINE GROWING

**Mr. O'Connor** moved that a special committee be appointed to inquire into the desirableness and practicability of cultivating the vine and making wine in Canada, and that the petition of D. W. Beadle, President of the Canada Vine Growers Association, be referred to the said committee. The Committee to be composed of Messrs. Rose, Howland, Chauveau, Anglin, Carling, Holton, McLellan, Stephenson, Macfarlane, Morris, Pope, McMonies, D. A. McDonald and the mover. He said the experiments which had been recently made, more especially these which had been made on a somewhat extensive scale at Cooksville, on the North shore of Lake Ontario, had dispelled the prejudice which previously existed in the public mind that the climate of Canada was unsuited for cultivating the vine. As regarded the second part of the resolution he stated that the Vine Growers Association had been incorporated by Act of Parliament, with power to issue \$100,000 worth of stock; a large proportion of which had been taken up. One of the objects of the Association was to encourage farmers to cultivate the vine by affording them a market for their grapes at remunerative prices. In December last between fifty and sixty thousand dollars had been expended by the Association, and its affairs being in a flourishing state when the Inland Revenue Act of the first part of the session, had the effect of completely paralyzing them. The Act incorporating the company, passed in 1866,

exempted them from all excise duties and other imposts, except municipal or local taxes, for a period of ten years; but the Inland Revenue Act of the first part of the session interfered in such a way with this privilege, as, in effect, to repeal it. The result of this had been most disastrous to the Association. (Mr. O'Connor here read from the petition a statement of the consequences of this legislation.) The creditors of the Association immediately pressed for a settlement and the stockholders refused to pay any further call, alleging as an excuse that the recent Act of the Legislature had so changed the condition of the Association as in equity to relieve them from paying more calls. The negotiations which were about being closed for taking up a large quantity of reserve stock, were also at once broken up. An Order-in-Council was afterwards passed suspending the operation of the recent enactment, but it had failed to give satisfaction or restore confidence. The petition prayed for repeal of that clause of the Act, and also for further redress for the injury which had been inflicted on the Association.

**Sir J. A. Macdonald** said it would not be competent for the committee to consider questions of excise. They might consider, however, the question of vine growing, and have the petition referred to them.

**Mr. Harrison** spoke in support of the case submitted by the petitioners.

**Hon. Mr. Howland** explained his reasons for having introduced the clause in question into the Inland Revenue Act. From inquiries he had made, he learned that the company claimed the right, under their charter, not only to manufacture spirits from the products of the vine free of excise duty, but to add to those products such amount as they thought proper of saccharine matter, not the product of the vine. He learned also that they had purchased a large distillery, and presumed it was their intention to carry it on. It was under these circumstances that the clause was inserted. He acknowledged that, unintentionally on his part, it went further, perhaps, than they were warranted in going. It specified that they should only use such materials as were produced by themselves. This would prevent them from using grapes grown by anybody else, which was an interference with their privileges under their charter. He had a Bill prepared to repeal this clause, and to authorize the Governor-in-Council to make such regulations as would be necessary to supervise their operations.

**Mr. O'Connor** did not know from whom the Minister of Excise got his information about the saccharine matter, alleged to be used. The Association had not been called upon in any way to report on the subject, and he thought they should in justice have got notice of the intended legislation. The motion was then agreed to.

#### RIVER SYDENHAM NAVIGATION

**Mr. Mills** moved the second reading of the Bill to facilitate the removal of obstructions to the navigation of the River Sydenham.

**Mr. Stephenson** moved the six months hoist.

**Sir J. A. Macdonald**—What does the honourable gentleman propose to do with his Bill after the second reading?

**Mr. Mills** said he would send it to a Select Committee.

**Sir J. A. Macdonald** said an objection had been raised to the measure on the ground of the incompetence of this legislature to deal with questions of property and civil rights, as the Bill provided that the logs left in the river for a certain period should become the property of those who took them out. This difficulty might perhaps be got over in this way. This Legislature has the right to pass an Act for freeing a navigable river from obstruction, and they might provide certain penalties for such obstructions, for instance, the forfeiture of the article causing the obstruction.

**Mr. Blake** said it was clear that in some instances an interference with the rights of property was an incident of what was within the jurisdiction of this Parliament. This was the case, for example, with railway legislation, where if the removal of obstructions could only be effected by a transfer of property, he thought this Parliament possessed the right so to enact. Whether it would be discreet in this instance to exercise that right he would not undertake at present to say.

**Mr. Stephenson** said he had received a number of letters from his constituents opposing this Bill. The saw millers, the dealers in square timber and others, who were interested in the navigation of the river were decidedly hostile to the measure. He moved a six months' hoist. It being now six o'clock, the Speaker left the Chair till half past seven o'clock.

After the recess.

#### CANADA SHIPPING COMPANY

Hon. Mr. Holton introduced a Bill to incorporate the Canada Shipping Company.

#### NORTH WEST TRANSPORTATION COMPANY

Mr. Simpson introduced a Bill to amend the Act incorporating the North West Transportation and Railway Company.

#### MUTUAL LIFE INSURANCE CO.

Hon. Mr. Carling introduced a Bill to incorporate the Canada Mutual Life Insurance Company.

#### MERCHANTS' EXPRESS CO.

Mr. Morrison introduced a Bill to incorporate the Merchants' Express Co. of the Dominion of Canada.

#### MEMPHRAMAGOG CO.

Mr. Colby introduced a Bill to confirm a certain by-law passed by the directors of the Lake Memphramagog Co., and for other purposes.

#### CLIFTON SUSPENSION BRIDGE CO.

Mr. Shanly moved the second reading of the Bill to incorporate the Clifton Suspension Bridge Co. Carried and ordered to be referred to Committee of the Whole to-morrow.

#### NIAGARA FALLS GAS CO.

Mr. Street's Bill to authorize the Niagara Falls Gas Co. to extend their works for the purpose of lighting the town of Clifton as amended in Committee on private Bills was read a second time and ordered for Committee of the Whole to-morrow.

#### THE MILITIA BILL

The adjourned debate on the motion of the Hon. Mr. Cartier for the second reading of the Militia Bill, was then resumed.

Hon. Mr. Dorion objected to the measure introduced by the Minister of Militia as one which was anything but an improvement on previous measures in Canada and other countries. Here we had a substitute for our volunteer system, under which, when wanted, they had raised from 30,000 to 33,000 men, who

voluntarily turned out after being well drilled for months. This was a force in every way far superior to the 40,000 men who were under the new system to be drilled, only 15 or 16 days in the year. Their former force, he believed, would have been more efficient for military purposes in one year than their present force would be in ten years. It was absurd to think that eight days' drill for a couple of years in succession would give them a body of men efficiently trained in the arts of war. A system which would compel 40,000 men to exercise for only eight days yearly, whenever the Commander-in-Chief chose would be found a miserable failure. It had been said by the Minister of Militia that the expenses of the militia organization for the last five years had been at the rate of \$1,500,000 a year. Now what were the facts—in 1863 the expenses of organizing the militia were some \$400,000. Next year about \$500,000. In 1865, \$756,000, in 1866, \$1,640,000, out of which the frontier service cost \$1,123,000, having less than half a million for the ordinary service of the militia. In 1857 the expenditure was \$1,412,000 of which \$616,000 only were paid out for the ordinary militia service, so that in reality for the last five years the expenses connected with the organization of the militia had never exceeded half a million yearly. Now it was proposed to double the expense and give them a force far less efficient. The system of conscription to be followed would not only offer no inducement to the young men of the country to join the force; but would not act as a positive drawback. In his opinion, one of the great aims of the Government should be to encourage the military spirit abroad in the Dominion, and in this respect he complained that the measure before the House was deficient. The volunteer system as formerly in vogue was far better suited to the people and unquestionably would have been more efficient, almost beyond comparison. There was now and had always been a feeling of dislike to compulsory enrolment, and why, he would ask, should such a system have been adopted? See the expense it would entail, the \$500,000 extra yearly, represented a capital of \$10,000,000. Then their fortifications were to be \$500,000 more, and their cost would probably exceed rather than fall short of that sum. Was it any wonder, with these and the other enormous expenses being incurred by the Government, and with a new and repulsive militia system coming into force, that their young men should be leaving the country by

hundreds and by thousands? If instead of uselessly flinging away the public money in the fashion now contemplated, honourable gentlemen opposite would husband the resources of the State and apply them as soon as might be possible to deepening their canals and opening up the country throughout the Dominion, the effort would be worthy of a Government. The young men would not be leaving the Dominion in crowds; immigration would be attracted hither, and a hardy, industrious, numerous population would soon swell the number of the inhabitants of the Dominion, and form a protection for the country far beyond all the fortifications they could sink money in. Again, he found in the State of New York that there was a force of 49,000 citizen-soldiers larger than we propose to raise, and these men were enrolled and drilled twelve days in the year, at an expense of about \$600,000. There was another point connected with this matter which the House could not lose sight of. The Imperial Government, it appears, decided that it was only necessary to fortify Montreal, but the member for Sherbrooke in his wisdom decided that fortifications must be erected all through the Dominion, and this was to be done too on such a ridiculous system that one-half of the wealthiest portion of Ontario remained absolutely without the means of defence accorded to the other section. Besides all this, they had it on the best military authority that there were only two really defensible points in the Dominion—Quebec and Halifax. Wherefore, then, all the expenditure on a long chain of fortifications? It was madness to erect such a number of fortifications, which could never be successfully held against a powerful enemy. The Minister of Militia tells the House that he had a conversation with the Minister of War in England, and agreed to the erection of several fortifications. But nothing definite could be elicited concerning this strange interview, and it appeared no correspondence was to be forthcoming on the subject. He (Mr. Dorion) for one, would never vote away five millions of money for any such purpose until a Committee had been struck to inquire into the necessity for these fortifications. His own belief was that the expense would be nearer ten or fifteen millions than five millions.

**Mr. Johnson** addressed the House at some length, but was scarcely audible, and when audible very few of his remarks could be understood in the reporters' gallery. The honourable gentleman laid down the startling

proposition that the people of this country inherited the blood of their ancestors, and then proceeded amid creaking of desks and other signs of impatience on the part of the members, to make various incomprehensible statements. He was applauded on resuming his seat.

**Mr. Bellerose (in French)** said it was necessary for them to protect the country. The system of having no defence was ridiculous, and it was the duty of all good, loyal citizens, to submit to such a system of defence as will on the one hand not be too expensive, while on the other a due regard is given to the safety and security of our people. Proper defence is often our safest guard, and enabled the country to take a better and more respectable position among the nations of the earth. Some objected to the present system, on the ground that it is expensive. His own opinion was that it was too cheap to be efficient. Still under the management of the present Minister of Militia the system might prove successful with the cooperation of the people.

**Col. Brown**, who, as a volunteer of considerable experience, claimed to speak with some authority, opposed the principle of forced enrolment, which would be found quite unnecessary if the volunteer force had only received the encouragement which its services and spirit merited. The staff he considered only as a source of unnecessary expense, which might be profitably dispensed with.

**Mr. Stirton** said this was perhaps the most important question which could engage the attention of Parliament. The measure before the House had been introduced with a great flourish of trumpets, but how was it received? One gentleman of experience after another had arisen to express dissatisfaction with the scheme and denounce it. The people of the country were undoubtedly loyal and desired to see a sound militia system adopted. They had past experience in this direction, and found in the volunteer system one which was most effective in every respect. It was then most unfortunate that this system should be done away with and that a compulsory system should be covertly introduced as was proposed to be done in the Bill before the House. It was very clear that with a force compulsorily brought together, there would not be the same proficiency in the men called out as under the volunteer system, and, in fact, there was no comparison between the

two systems here. If there was one idea more general than another in the country it was that every encouragement should be given by the Government to drill associations. That great care be taken to provide for the service of these citizen soldiers the newest and best weapons of war, and that in every respect their young men should be got to take an interest in military matters. A military organization got upon such principles on the volunteer system would be infinitely preferred to the compulsory system. (Cheers.)

**Mr. Lawson** said the Volunteers who had so nobly done their duty in past times in Canada, had been very inadequately remunerated, and he suggested the introduction of a clause providing that those who had distinguished themselves for good conduct and efficiency should receive medals. These testimonials of merit would be valued much more than the \$5 proposed to be given them. He objected to the expense to be incurred for the staff to keep the 40,000 men in the field, and said he had several other objections.

**Mr. Oliver** said he came to the conclusion long since that the object of this Bill was to destroy the volunteer force, and he had unfortunately been right in his surmise. The honourable gentlemen made handsome mention of the services of the volunteer forces and showed their efficiency notwithstanding the great shortcomings of the military authorities when the Fenian raid broke out. As to the present measure it would, beyond question, give rise to universal dissatisfaction and it was to be hoped the Minister of Militia would yet be induced to retrace his steps. His system, if persisted in, would inevitably lead to drafting, in order to get the required number of men and even when they had been drafted and drilled what were they better for it. They would soon forget their 96 hours drill in two years, and to all intents and purposes the money to be expended for this purpose would be money thrown away. As to the question for fortifications the proposed expenditure of \$5,000,000, large as it was, was but a beginning. The North-West Territory, British Columbia, and Vancouver's Island, with the Maritime Provinces in the Confederacy would all be included in the Dominion, and all these colonies must have their fortifications, too, and so the present vast and useless vote of \$5,000,000 would be swelled to proportions that the honourable gentlemen now little dreamed of. At a future stage he proposed to move at least one amendment to the measure.

[Mr. Stirton (Wellington South).]

**Mr. Sproat** disapproved of the new division of the Militia Bill into four classes. The two clauses of unmarried men from 18 to 30, and from 30 to 45, he thought should be amalgamated into one, for he believed as a general rule it would be a greater hardship to a young man of 18 or 20 just commencing life to be compelled to do militia service than to the man of 35 or 40. He would not oppose the second reading of the Bill, but he hoped before it finally passed it would be amended in a way to make it more acceptable to the country. In the present shape he could not but believe it would be a death blow to the Volunteer system of Canada. He was satisfied that men would not under the clauses of this Bill offer themselves as volunteers, as they did under the existing law. He admitted something was wrong at present either in the system or in the mode in which it had been carried out, and he regretted that instead of destroying the volunteer system something had not been done still further to encourage it. He was very sorry last night to hear the member for Lennox cast a slur on the efficiency of our volunteers on account of the misfortune which befell them at the commencement of the engagement at Ridgeway. He was satisfied there was not a man of them who, if properly commanded, would not have died for his country rather than give way. He was afraid if any trouble should arise during this summer we would not have a force ready to meet it. The present Bill was not to come into force until October, and before that date he was satisfied there would hardly be a volunteer corps which had not tendered its resignation. He thought the provision to pay the officers fifty cents a day for drill, the same as their men, was a most unfortunate one. It was treating them very unworthily thus to place them on a level with the men, and, if no one else did, he would move to amend the Bill by striking out the fifty cents pay so far as regarded volunteer officers. As to fortifications, he believed the best defence we could provide was to have our population so trained to the use of arms as to be able to meet the foe when necessary, not behind bulwarks of earth and stone, but in the open field.

**Mr. McCallum** said the naval branch of the service was almost entirely neglected by the Government. This Bill he considered a mongrel Bill, neither one thing nor another. If we could not get volunteers sufficient for defensive purposes, he would do away with them altogether, and make the whole population

liable for militia service, either to serve personally or to purchase exemption, and in that way money enough would be obtained to keep up the active force. He objected to the tendency to raise the salaries of some of the staff, particularly that of the Adjutant-General.

**Mr. Drew**, after a close study of the Bill, had come to the conclusion that we were to have very few advantages, for the money to be expended; all that the Bill was to yield was eight days drill for 40,000 men. He considered its effect would be to destroy the volunteer force; and if that were to be the effect he thought the Minister of Militia should reconsider it. As regarded the 50¢ allowance to officers he had letters from them from all parts of the country, saying they would rather have nothing than accept 50¢.

Cries of "adjourn, adjourn."

**Sir G. E. Cartier** said he knew that several members wished to speak, and he thought it advantageous that the debate should continue with the Speaker in the Chair. This was not a

party measure, and he wished it fully discussed.

**Mr. Mackenzie** moved the adjournment of the debate. In doing so he asked if it was the intention of the Government to introduce a Bill to provide for the fortifications.

**Sir G. E. Cartier** said a message from His Excellency would be brought down recommending the appropriation of \$1,100,000 for the fortification of Montreal and other places west of Montreal, and Saint John, N. B. If this resolution were adopted, he would then introduce a Bill to carry it into effect.

**Mr. Mackenzie** asked if the message would contain the items of expenditure, based on estimates showing the amounts for each work, the nature of that work, and where located.

**Sir G. E. Cartier** replied in the negative.

The debate was then adjourned, and made the first order for to-morrow.

The House adjourned at five minutes past twelve.

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## HOUSE OF COMMONS

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Thursday, April 23, 1868

The Speaker took the Chair at 3 o'clock.

### JOLIETTE ELECTION

Mr. Scatcherd moved that the Joliette Election Committee have leave to adjourn till the 25th May. Carried.

### FINANCIAL STATEMENT

Hon. Mr. Rose intimated that he would make his financial statement to the House on Tuesday, and would on the same occasion give explanation as to the intention of the Government with regard to the tariff. The estimates for 1868-9 would be brought down.

### CORRESPONDENCE ON TITLES OF HONOUR

Hon. Mr. Holton, before the orders of the day were called, inquired whether Government were prepared to have entered on the Minutes the communication made the other day by the Secretary of State, with authority of the Governor-General, as to the non-production of further correspondence on the titles of honour.

Hon. Mr. Langevin said the answer he gave was like other answers to questions by members which were never put on the Minutes.

Hon. Mr. Holton said this was a retreat from the position taken the other day by the Minister of Justice, who, he understood, undertook to have the communication brought before the House in some official way, whenever he had considered in what form it could be done.

Sir J. A. Macdonald said he had looked into the matter and found no precedent for entering on the Minutes answers to questions by members, and he thought it undesirable to establish such a precedent. The answer given by the Secretary of State had been read to the House; had been published in the newspapers; and if the honourable member for Chateaugay desired still greater certainty, he might have an authentic copy of it.

Hon. Mr. Holton gave notice that he would move that the communication be entered on

the journals. He wished further to ask the Government whether they intended to ask the House to take any action on this correspondence.

Sir J. A. Macdonald said that the Government had no such intention.

### LIQUOR INSPECTION FUND

Mr. Bourassa moved that the House go into Committee of the Whole to consider certain resolutions respecting a Liquor Inspection Fund.

He explained that their object was to punish parties who put anything deleterious in liquors, by fines, which would form a fund to pay the expenses of inspection.

Hon. W. P. Howland said it might be a matter of greater difficulty than the honourable member might be aware of to determine what was deleterious in spirits. His honourable friend beside him (Mr. Tilley) would say that there was nothing in them at all that was not deleterious. The machinery for inspection provided in the resolutions, he thought, was altogether inadequate. The Government could not assent to the resolutions.

Sir John A. Macdonald said the first resolution was this, that it is expedient to create a special fund to be denominated a Liquor Inspection Fund, which would be administered by the Receiver-General. It was evident that such a resolution must be preceded by a message from the Governor-General. No fund of the kind, imposing a charge on the people could properly be originated in any other way. The Government did not propose to create such a fund, and he submitted that the resolutions could not be proceeded with.

Hon. Mr. Dorion said the honourable member for Saint John would be satisfied if there were an expression of opinion on the part of the Government that the subject would be taken into consideration.

Hon. Mr. Howland said that he admitted the desirableness of attaining the object aimed at, but the question was a very difficult

one, and having so many other duties pressing upon them he did not know that he could undertake it.

**Sir John A. Macdonald** said the matter was properly a branch of the criminal law. If a party sold a liquid of any kind which was injurious to the public health, in the broad sense of the term, not in the sense that would be contended for by the Minister of Customs, he was guilty of an offence that should be punishable. If he sold a liquid as being one thing while it was another, he could be indicted for a fraud. If he mixed with liquor anything that was poisonous, he could be indicted under the law regulating the sale of poisons. He would endeavour to frame the Bill on that subject so as to meet the cause so far as practicable.

The resolutions were then withdrawn.

#### PRIVILEGES OF PARLIAMENT

On the motion of **Sir John A. Macdonald**, the Bill to define the privileges, immunities and powers of the Senate and House of Commons, was read a third time and passed.

#### MILITIA BILL

**Mr. Mackenzie** then resumed the adjourned debate on the motion for the second reading of the Militia Bill. He said that in addressing the House on the subject of the defence of the country, it was almost impossible to avoid alluding both to the geographical and the political relations which we occupied towards the United States. We were, perhaps, the only colony of the British Empire placed in a position of peculiar danger, on account of a long extended frontier in proximity to the territory of a foreign power, and we had, therefore, to consider the probabilities of any hostile demonstrations affecting the peace of the country from the territory so situated. The standing argument addressed by British statesmen, who had urged on the present and former Legislature of this country the importance of our creating a standing army, or at least of taking extraordinary means to increase the militia force and the defences of the country had been that the people of the United States were more or less aggressive with regard to us. He proposed to examine for a few moments whether this was really the case or not, because if we could establish the proposition that the people of that country were not particularly aggressive towards ourselves, then we disabused the minds of our own people and those most

[Mr. Howland (York West).]

intimately concerned with the administration of the affairs of the Empire of one of the reasons which had been so constantly urged for increasing our defensive forces. (Hear, hear). He believed that the people of the United States, a kindred people, speaking the same language and having the same religion are not as a nation aggressive towards Great Britain or her Colonies. It was true that a large portion of the emigrants from Ireland belonged to the class who complained of the misgovernment of that country by the British Government, and who were disaffected towards Great Britain, had found a permanent home in the United States, and nothing could be more natural than that that class should seek to take advantage of the political questions which would always arise, in order to create a feeling in their adopted land against the government which they believed had acted oppressively towards themselves. But we had found on every occasion when international question had arisen between ourselves and the Government of the United States, that that government had shown itself disposed to do what was right and just. (Hear, hear). A portion of the British people and some British statesmen have assumed, from the tone of the newspapers—from the tone of resolutions passed at public meetings—and from that yielding to public clamour which was characteristic, he was sorry to say, of some of their legislative bodies and even of the highest legislative body of their country;—that there was a feeling of hostility on the part of the people of the United States, against which it was necessary we should protect ourselves. He denied that in any of these instances was there expressed the real feeling of the solid, well educated and influential men of the United States. He believed too, that the remedial measures which were now in progress in the British Parliament with a view to remove disaffection from Ireland, would take away the ground from that feeling which had hitherto existed towards us on the part of that large class of the population of the United States to whom he had alluded; and if we, on our part, adopted a wise and proper policy, he considered it was all but impossible that war could ever break out between these two great nations. He deeply regretted the tone which had been assumed by a portion of the Canadian Press towards the Northern States, when they were struggling to maintain the integrity of their union. The feeling of irritation, however, which this had caused, had now, he believed,

very nearly passed away and the spirit of conciliation in which a great nation like Great Britain could afford to treat the complaints of the American people would, he had no doubt, very soon convert the feeling of that people into one of entire friendliness. Still, with our long extended frontier, we had to consider the possibility of war with the United States. It was only with a view to that possibility that we were required to erect any fortifications or to make provision for the calling out of a very large portion of our people as an active Militia. He admitted that we were bound to provide the expenses incident to the preservation of order within our own territories. He admitted also that we were bound, as colonies, to bear a reasonable share of the amount of taxation necessary in order to preserve the dignity and the integrity of the Empire, and place us in a position of defence against a possible though improbable enemy. The member for Saint John (Hon. Mr. Gray) had read long tables of statistics, showing that Great Britain, France, Prussia and the United States contributed very large sums, per head, of the population towards military expenditures and that we in Canada were only called upon to contribute 25 cents per head for that purpose. When an honourable gentleman read statistics he should do it honestly. He did not use the word in an offensive sense, but meant to say that the honourable gentleman only referred to that portion of the statistics bearing on the case which suited his argument. He had not stated that as compared with these old countries, we had no realized wealth. According to the most recent statistics, our entire wealth was about \$198 per head of the population, but of this not one tenth part was represented, he would not say by money, but by personal property that could be realized under any circumstances. The realized wealth of England was \$1,200 per head of the population, or six times what it was here. So that even in that view, twenty-five cents per head was in proportion to our wealth about what a dollar and a half per head was in England. But as our wealth chiefly consisted of farms which could be not turned into money when we pleased, 25 cents per head for military taxation here was much greater than even two dollars per head in England. As colonists in a new country, we had had to undergo all the hardships incident to new settlements, and it would be long before we were in a position to enable us to bear precisely the same proportionate share per head of taxation necessary for the defence of the empire, as the people of Great Britain must necessarily bear. He denied also the doctrine that every colony was bound to provide for its entire defence, and that if it failed to do so it should be cast off as of no value to the empire. When imperial Rome began to withdraw her troops from her outlying colonies, her prestige was at an end, and her power decayed. He believed that the influence of Great Britain, the wide extent of her commercial transactions, and the marvellous power she had acquired in every corner of the earth, were chiefly attributable to the extension of colonies of her own people in every quarter of the globe. He thought the sooner we had an understanding with the Imperial authorities as to the share we were to bear of our defence, the better. He confessed he was greatly pained and surprised that the Government—the first Government of the Dominion—had not taken steps to procure such an understanding as would prevent the possibility of any mistake on this point arising in the future. They should have got a committee of this Legislature to consider the question before bringing down a Militia Bill and a scheme of fortifications; the one at the instance of the Imperial Government; the other undertaken with the hope that it might satisfy the Imperial Government, but with no assurance from that Government that they would accept it as a finality, and as what was justly due from this Dominion to the Empire. It would be remembered by the older residents of Canada that, in order to defend the western portion of what was then Upper Canada from aggression from without, the Rideau Canal was constructed by the Imperial authorities. But this was found quite insufficient. It was impossible, by means of it, to get vessels on the lakes, that could be used for purposes of defence. It was merely available for transportation of military stores. The Province then entered on the construction of the Provincial canals, and the first consequence was that the Imperial authorities ceased to maintain a dockyard at Kingston, and were now able to transport pretty large gunboats to the Lakes when necessary. The Canadian Government expended sixteen and a quarter millions of dollars on its canals. It had also expended on its railways 20½ millions. Adding such works as the deepening of Lake St. Peter to allow large vessels to reach Montreal, it had spent nearly forty millions in order to render communication easy. We had thus placed at the disposal of

the Imperial Government, means of easy transportation to every part of the country, and this appeared to him a fair element to be taken into consideration, when we spoke of the relative proportions of expenditure for defence to be borne by the colony and by Great Britain. As regarded the scheme of fortifications, he might remark, that all the British military officers who had reported on the subject, made it clear in their reports that the fortifications which they recommended had but one object in view, viz., to enable the British troops to escape in the easiest way from the country. The Imperial Government undertook to fortify Quebec, and then they demanded of us an expenditure at Montreal of something over two millions of dollars. This was to be the point to which—to use the language of one of the engineers—the British troops could withdraw from the upper peninsula, when it should be overrun, as they expected it to be by the American troops. But there were to be fortifications also at Hamilton, Toronto, and Kingston, that they might, in the first instance, retreat to Hamilton; then fall back on Toronto; then on Kingston; and finally find shelter under the guns of Montreal or Quebec. Now, if we were to enter on a system of fortifications, he, for one, would not consent to enter upon it with any such object in view. If we were to provide fortifications, they should be such as would afford some reasonable security to the people inhabiting the country. Why should we subject ourselves to this serious expense for fortifications, and at the same time have it plainly told us that the defence of the western peninsula is to be left to the native militia, and that the British troops are to make their way eastward as fast as they can, till they find security at Montreal or Quebec? With a full knowledge of the country, he did not hesitate to say that to spend five millions on fortifications at the few points named would be to spend them as uselessly as if the money were thrown into the lake. Before undertaking such a work we should first have concerted action with the Imperial Government. If the Government objected to entrusting the matter to a committee of Parliament, let them appoint a commission to inquire into the whole subject—to see where the works should be situated—what number of men they would contain,—how they were to be armed,—what garrisons would be required for their defence,—and then, with all this information before them, our Parliament could determine, in concert with the Imperial Government how far

[Mr. Mackenzie (Lambton).]

we were to have a system of fortifications of our own in conjunction with theirs. But to rush in this helter skelter way into a expenditure of five millions on fortifications without a distinct policy, was something which he could not think this House would sanction.

He proceeded to show that the course proposed by the Minister of Militia, in asking these five millions to be voted, *en bloc*, without detailed estimates as to how they were to be expended, was without precedent, and that a very different course was pursued by the British Government when the House of Commons was asked a few years ago to vote money for coast fortifications in England. If the House voted these five millions the way proposed, it was clear what the result would be. Contracts would be given out, and it would be found that in every instance they would exceed the sum estimated by probably double the amount. The expenditure asked for the erection of these buildings which were entirely under our own control, was \$817,000, yet they had cost \$3,000,000 already, and it would take, at least, a quarter million dollars more to finish them. For the last fortifications erected at Kingston by the Imperial authorities, the amount estimated at first was twenty-five thousand pounds, but the actual expenditure amounted to fifty thousand pounds.

Sir J. A. Macdonald said there were now works not in the original estimates.

Mr. Mackenzie asked what new works?

Sir J. A. Macdonald—The water battery.

Mr. Mackenzie said the water battery was in the original estimate. He knew all about it. (Hear, hear). He was satisfied that if the fortifications were undertaken, as he presumed they must be if a necessity, by Military Engineers from Britain, we should have to pay not five millions, but nearly ten millions, before they were finished, and he for one was not willing to enter into the matter in the blind way the Government proposed. He asked the other night some information about the agreement which the Minister of Militia stated had been entered into. On questioning the honourable gentleman, it turned out that the only information for the statement about an agreement was that four members of the late Government of Canada had had a conversation with certain Imperial authorities and had expressed their belief that the Canadian people would do certain things. It was ultimately arranged, however,

as appeared from the correspondence which had been brought down, that the whole question should be remitted to the first Legislature of the Dominion. It appeared also that the interview of the authorities of the Military and Colonial offices was only with some of the delegates from Canada who had no authority from Parliament to make any such arrangements, and that the delegates from the other provinces had no part in it. He had observed, and he regretted to say it, a disposition in this first session of the first Parliament of the Dominion to be exceedingly careless about the manner in which the public money was voted and distributed. If this course were persisted in disaster would be brought upon the Confederacy, which we had gone into with the hope that it would improve the financial position of all the colonies. He knew, as regarded the Government of the late Province of Canada, that with reference to most of the contracts into which they entered, the rule requiring them to be submitted to Parliament had been systematically violated; and from the tactics pursued by this Government he should not be at all surprised to find that they had followed the old practices, and made contracts with individuals for a term of years, without submitting them to this House. (Hear, hear). He did not think that it was necessary for him to examine critically the Bill which was immediately before the House. It was almost enough to say that all the gentlemen who had spoken, except two, and one of these the honourable member for Laval, who, so far as his recollection went, never opposed any measure brought down by gentlemen opposite (Laughter), all the gentlemen on both sides, who had spoken, had intimated their disapproval of the Bill; characterizing it, in fact, as a Bill intended to destroy the volunteer force. To his mind, the Bill resembled a paste-board castle, erected with half-inch lath and with a gunboat run out, to make believe that it was a veritable fortification; but any one could take a cudgel, knock it to pieces, and find no one behind it but the Minister of Militia, and his long staff, of which the honourable gentleman behind him had spoken. (Laughter). The honourable gentleman proposed to get a force of 40,000 men, partly on the volunteer principle, and partly by conscription. He begged to tell the honourable gentleman that he could not have a volunteer force under this Bill. In this matter, he (Mr. Mackenzie) attached much weight to the opinion of volunteer officers. He had received

communications from three commandants in the West, who were out with their battalions during the Fenian invasion, and every one of them expressed the opinion in the strongest language, that the Bill, if not designed to kill the volunteer system, would have that effect.

Mr. Mackenzie here referred to the disparaging manner in which the honourable member for Lennox had spoken of the conduct of the volunteers during the Fenian raid, and said that if the honourable gentleman had been a witness of the enthusiasm they displayed, and the excellent state of drill in which they were, he would have spoken differently. He was satisfied that the unfortunate events in the neighbourhood of Fort Erie were attributable to a great extent to the fact that some of the officers who commanded were new to the task, and it was most fortunate for us that the Fenian force were nearly as badly officered as our own. The honourable member had also stated that since 1862 we had only had twenty thousand volunteers, at a cost of \$300 per head. He forgot that the men who formed the companies changed every two or four years, and that instead of twenty thousand drilled men, we have at the present moment fifty thousand men, who had been drilled in the volunteer force; but if this Bill, in its present shape, went into operation, he ventured to say that in five years it would not give five thousand drilled men, if men were to be gathered from all the concessions of a large township, and drilled for eight or even sixteen days in a year. Would any one imagine that that would ever make them drilled men? Under the present system, though volunteers had only been paid for sixteen days' drill, there was nearly a company which, by drilling in the mornings and evenings, had not drilled thirty or forty days in the year. The active militia to be organized by this Bill would not have such opportunities.

Sir G. E. Cartier said the honourable gentleman was not aware of the operation of the law as it now stood. At present volunteers were not obliged to be drilled more than 16 days yearly; but besides that they were obliged, at the command of their captain, to turn out on extra occasions, and the same provisions would apply to the service companies.

Mr. Mackenzie would only say that if the honourable gentleman meant to compel the active militia to drill at the caprice of a commander in the way alluded to, he (the

Minister of Militia) would find his mistake. He (Mr. Mackenzie) believed that there was no method of obtaining an active force to be used immediately, at all comparable with that of cultivating the volunteer force; and instead of throwing discouragement in the way and placing them in an unequal position as compared with the active militia, the volunteer ought to be specially favoured, in order that the organization should be kept up, and that the Government might have the force at their disposal whenever needed. The honourable member for Lennox, in the course of his speech, had gone a little out of the way in asserting that the course pursued by the majority in 1862 had resulted in lowering Canadian securities in the English market. He (Mr. Mackenzie) did not at all desire to introduce this topic, and the honourable member who had chosen to do so must be responsible for the consequences. Any honourable gentleman belonging to the former Parliament of Canada was well aware that, at the time this fall of securities took place, the leading journal in England, the London "Times", represented in the strongest possible language the extreme character of the then existing Canadian administration in their tendency to extravagance, and pointed out that while the grossest corruption was carried on by the Government of the day, it was not possible that Canadian securities could be kept up. That he believed was the true cause to which was owing the decline in public securities at that time. He had only further to say that it was of course their duty to provide for the defence of the country, and for his part he was sincerely desirous of cooperating with the Government in the production of a Bill having for its object the maintenance of a proper military force in the Dominion; but, as he had intimated, he was not prepared to adopt all the provisions of the present Bill. He did not complain of the amount of money expended for the practical purposes of drill. In that respect, it seemed to him the measure did not go far enough. But the real feature of the Bill was the extravagance of the expenditure at Headquarters. It had been well said by the honourable gentleman from Monck that the great feature of the Bill was too much staff. It seemed to him that the results to be obtained were too dearly bought, and he trusted that Government would consent to modify the Bill in the directions he had indicated, and would also consent to reduce their extravagant expenditure in connection with the military and civil

[Mr. Mackenzie (Lambton).]

staff for the administration of affairs connected with these 40,000 men. He would most cheerfully support such a measure as would relieve the country from the incubus imposed by the measure before the House. With regard to the question of fortification—if the Minister of Militia proceeded as he had indicated, he (Mr. Mackenzie) might possibly have to propose something also for the adoption of the House, and would at all events relieve himself from the position of consenting to a project at once the most expensive and useless. (Loud cheers).

**Hon. Mr. Gray**, in reply to the member for Lambton, said that while the honourable member asserted that 25 cents a head in Canada were equal to \$2 in England for military purposes, he had given no statistics whatever in support of his position.

**Mr. Cartwright** repudiated the idea that he had disparaged the volunteer force. What he had said was, that while the volunteers deserved every credit for their zeal and efficiency, such a force was not adequate to the proper defence of the country.

**Mr. Bodwell**—Mr. Speaker, the Hon. Minister of Militia, in introducing this measure, told the House that he had been engaged at various times during his public life in great matters pertaining to the interests of this country—that he had had something to do with all the great measures brought before Parliament for a great many years—and that because this was one of the great measures that was to come under the consideration of the House of Commons, he felt an earnest desire to have something to do with it. Now, I am quite willing to give the honourable gentleman credit for all the "big things" he has done for Canada, and I am bound to say that he has displayed an energy and an ability which entitle him to a very great deal of credit. But I fail to see that this Bill entitles that great amount of ability and sagacity which the honourable gentleman has displayed in dealing with other important questions. We often hear the Hon. Minister of Militia say, when he is attacked on any particular measure, or when any knotty question is proposed to him, that he is "very glad." The oftener such attacks are made, and the more biting the sarcasms that are heaped on the honourable gentleman, the more emphatically he declares he is "very glad."

(Hear, hear, and laughter.) He is bound, like Mark Tapley, under all circumstances to be jolly. (Laughter.) And now, when he has got to this Militia question, judging from the severe criticisms heaped upon his measure, not only by his opponents but by his friends, I think it is apparent to all, and the honourable gentleman must feel that the circumstances are sufficiently trying to test fully his power of being jolly under difficulties; but I would not be surprised, if, like his prototype, he were to find it convenient, or otherwise be under the necessity of very soon retreating from his celebrated *City of Eden* on paper. (Hear, hear.) It appears to me that the amount proposed in this Bill to be expended, and upon this system of defence, is greater than the results likely to flow from it would warrant us in undertaking at the present time. There are two or three questions which present themselves prominently before us, when we begin to speak of the defences of the country. The first question which naturally presents itself, is this—what force and what defensive works are really necessary for the defence of this country under the circumstances in which we find ourselves? Secondly, what would be the cost of such works of defence, and the maintenance of such a force? And, thirdly, will the circumstances of the country, and the resources at our command, warrant us in undertaking that expenditure? The honourable gentleman proposes by this Bill to provide a force of 40,000 men, and to give a certain amount of training to a large number of the Militia of the country, as a sort of support to this force. Now, I suppose he does not pretend to say that 40,000 men would be sufficient to defend the Dominion of Canada against the only nation from whom we have anything to fear in the way of offensive warfare. I refer, of course, to the United States. I presume that the honourable gentleman anticipates that this force of 40,000 men would simply act as an advance guard, to be supported by the trained Militia, in case of an attack being made on our country, and that it would answer at the same time as a sort of police force to maintain quiet within our own borders, and prevent any damage being done by any marauders who might be induced under various circumstances and for various reasons to make an attack on our liberties, as in the case of the Fenian invasion of 1866. Now, the question naturally arises, whether the proposition of the Minister of Militia, in reference to the training of these 40,000 men, would be likely to give them that

efficiency which they would require in order to make them an effective force for the defence of the country. He proposes by this Bill to give them a training of from 8 to 16 days per annum. I have had the pleasure of conversing with a large number of officers of the volunteer force in various parts of the country, and I may be permitted to say here that, in the County of Oxford, the South Riding of which I have the honour to represent in this House, we have not been behind in keeping up the volunteer force of the country, for that County has turned out its thirteen companies, as fine a body of men, and as well drilled, perhaps, as any in Canada—(hear, hear)—so that I have had frequent opportunities of meeting with officers who have been engaged in the volunteer service for the last five or six years, and the universal expression of opinion from those officers to me has been that 8 or 16 days' drill would be simply time thrown away when expended upon men with the view of making them anything like efficient soldiers. The universal opinion expressed to me has been that a longer time should be occupied in drilling, that at least a month's training would be necessary, and that not in the ordinary way of calling out men for drill for an hour or two a day in the vicinity of their own homes—but that they should go into camp for a certain time, and that, too, for more than eight or even sixteen days, if anything is to be accomplished. It appears to me, therefore, that this portion of the Bill is open to very serious objection. In saying so, I do not speak from personal knowledge, but from what I have heard from gentlemen experienced in the matter, and fully competent to give an opinion. Further, it appears to me that the position in which this Bill places the volunteers in reference to the Militia, is very unfavourable to the volunteers; and the chief objection I have to the details of the Bill, to say nothing of its general principle, is that it strikes at the very root of the volunteer movement in Canada. (Hear, hear.) The opinion expressed by such volunteer officers as I have had the pleasure of conversing with on the subject, is, that it will totally destroy the volunteer force of the country. And I venture to say that if this Bill passes in its present form, without modification, two-thirds of the volunteer officers will at once resign their commands. (Hear, hear.) They look upon it as not only calculated to destroy the force, but as an insult to themselves, because the Bill entirely ignores the existing volunteer force

and their past services. No one can have witnessed the efforts put forth by our volunteer officers to keep up this force at great personal sacrifice, and in many instances at great expense to themselves, and their zeal to out to defend the country when it was in danger—no one can have witnessed the alacrity with which they brought their companies into the field for the defence of their country in 1866—and then view this Bill ignoring their efficiency, their past services, and their claims on the country, without feeling with them that a direct insult has been offered them, and a stigma placed upon their former self-sacrificing and praiseworthy efforts for the defence of the country. (Hear, hear.) I hold, too, that this Bill does not make sufficient provision for the payment of volunteers. I hold that the system of conscription, as proposed in this Bill, is not the system which ought to be adopted in this country. I think encouragement ought to be given to the volunteer movement. I have no hesitation in expressing my belief that, if proper encouragement were given to the volunteers who are now in the field, and if proper encouragement were held out to others to induce them to volunteer, there would be no difficulty, the moment the country was in danger, or even in time of peace, in raising 40,000 or even 80,000 volunteers in the Province of old Canada alone. (Hear, hear.) But what do we see? The Minister of Militia comes down and offers to these men—taken from their employments, many of them being dependent on their daily labour for the support of themselves and their families, and brought into the field for drill for 8 or 16 days—offers them the munificent sum of 50 cents a day, and allows them to provide their own rations out of that. The honourable gentleman has stated that he is willing to make his Bill more expensive if he can get the sanction of the House to such a proceeding. I advocate, however, not the laying out of more money, but a different distribution of the money proposed to be expended. I think 25,000 men well drilled, as they should be for the purposes for which these men are sought to be trained, would be more efficient, and would do greater service to the country than 40,000 men trained in the manner proposed in this Bill. I think 20,000 or 25,000 men so trained would be sufficient for the purpose of repelling any slight invasion which might be planned against us by filibusters from the United States—and when we speak of anything further than that, when we speak of an

[Mr. Bodwell (Oxford South).]

invasion by the people of the United States in case of war between the two countries, 40,000 men would be about as much consequence as 20,000 when opposed to the army of the United States. And, while on this point, I may say that I look upon a war with the United States as only a mere possibility, and that in a very remote degree. It is within the bounds of possibility, but it is far from being among the probabilities. (Hear, hear.)

The honourable gentleman was here interrupted by the arrival of six o'clock, when the Speaker left the Chair till half past seven.

#### After recess.

Mr. Bodwell resumed his remarks. He said:—Mr. Speaker, when you left the Chair I was remarking that I thought it extremely improbable that a war would occur between the United States and Great Britain. The relationships which exist between Great Britain and Canada on the one hand, and the people of the United States on the other, are now such as to forbid almost the possibility of a war between them. Our common origin, our social relations, and especially our commercial relations, all tend against such a possibility. United by a common interest, neither the people of the United States nor the people of Great Britain can afford to become involved in serious differences with each other. Some questions may arise in which there may be matters of disagreement, but in the case of free and enlightened nations like Great Britain and the United States, with interests so intimately connected, I apprehend that means will be found to settle such differences without appealing to the stern arbitrament of war. The commercial relations of the United States with Great Britain are such as to make it the interest of both to preserve peace between the two countries at almost any cost. You have only to refer to the statistics of the commercial transactions between the two countries to be convinced of this. I quote, with regard to the exports from the United States, a report of the Secretary of the Treasury, giving the statistics of trade and navigation for the year ending 30th June, 1866. At page 395, I find that the exports from the United States in that year, no less a sum than \$327,268,765 represented the exports to England; \$4,441,928 the exports to Scotland; \$5,973,996 those to Ireland; to Canada, \$15,333,552; to the other British American Provinces on the Atlantic coast, \$10,228,785; to the British West Indies, \$7,305,812; to Australia, \$6,050,532, and to other dependencies of Great Britain a sufficient amount to make up in the



aggregate the large sum of \$383,171,206 to Great Britain and her dependencies; while the total exports from the United States in that year amounted to \$550,684,277, leaving only \$167,513,071 as the exports from the United States to all other countries put together—showing that about three-fourths of the total exports of the United States for the year ending 30th June, 1866, went to Great Britain and her dependencies. (Hear, hear.) And the imports into the United States show a state of trade between those countries scarcely less striking. We have at page 364 of the same report, the total imports of the United States stated at \$437,640,354, while the imports from Great Britain and her dependencies summed up \$270,403,089, or about three-fifths of the total imports of the United States. These proportions, however, of the imports and exports to and from the United States in that year, are not so striking in their bearing on the trade with Great Britain and her dependencies as those that would be shown by an examination of the trade returns before the war. If I am not mistaken, nearly nineteen-twentieths of the total exports of the United States were made to Great Britain and her dependencies. Now, I venture to say that two countries so dependent on one another, and at the same time possessing feelings in common with each other in their tendencies and enterprises, are not likely to differ seriously, their interests are too completely wrapped up in each other. I think it appears quite evident from the statistics I have quoted, that there is no likelihood—at least that it is no more than among the most remote possibilities—that such a thing as war with the United States could occur. (Hear, hear.) But, coming back to the point I was dealing with before this digression, I would say that if a war with the United States is improbable, the next question that arises is, what amount of force is necessary to preserve internal peace, and to protect the country against raids of filibusters on our borders. I apprehend the force provided in this Bill—40,000 men—is ample for this purpose, and I am quite clear also that a less number than 40,000, if properly drilled, equipped and armed, would be ample for the purposes of protection and preserving internal peace. But it is idle to speak of 40,000 men as being anything like sufficient to protect this country against the armies of the United States in the event of war. What is sought to be provided by this Bill, I presume there is an advance guard to be supported, in case of necessity, by a properly organized

Militia. If the Minister of Militia thinks that the cost of 40,000 men better paid and better trained than he proposes by this Bill, would be more than the country is able to bear, he had better reduce the number; and give the force a better training than is here proposed, or reduce the enormous staff, and apply the expense thereof to the better payment of the men, for it must be borne in mind that only about \$200,000 of the \$900,000 of expenditure which the Bill provides for will go to the men. (Hear, hear.) I am satisfied there would be no necessity for a conscription if proper encouragement were given to the volunteers. Properly arm, equip and pay the volunteers, and recognize their past services, which by this Bill are entirely ignored, and you will have as many volunteers as the country requires for any purpose. In this connection there is one point in the Bill to which I would wish particularly to draw the attention of the Hon. Minister of Militia. The term of service of the volunteers is put down at three years, while the term of service of the drafted men is put down at two years. But there is a provision that the volunteer may resign on giving six months' notice, and what I wish particularly to draw the attention of the Hon. Minister of Militia to, is, that this will be found to give an opportunity to men to escape military service altogether. Suppose it is known that a draft is to take place on a certain day, a number of the men in the military district who know they will be liable to the draft, may go forward and volunteer, and as soon as the draft is over, they will give the six months' notice and thus escape serving until the next draft takes place.

**Sir George E. Cartier**—We keep the six months' notice in the Bill just as it is in the existing law. The only difference is to reduce the period of the service of the volunteers from five years to three years. By this law a volunteer is allowed to leave by giving six months' notice, but that does not apply to the formation of service companies from parties who do not volunteer.

**Mr. Bodwell**—The honourable gentleman does not meet the point. I said a party might avoid the draft by entering a regular volunteer company, and as soon as the draft was over, give notice that he would retire from the force at the end of six months, and thus escape military service.

**Sir George E. Cartier**—He will be caught another time.

**Mr. Bodwell**—He might do the same thing over again if another draft should take place. (Hear, hear.) It appears to me a larger amount of pay might be given to the volunteers and their officers, and if the expense should become too great, then, as I said before, the number might be reduced, and the expense kept within bounds. Those who are not willing to sacrifice their time by enrolling themselves in volunteer companies to make themselves efficient for the defence of their country, are not in a position, nor do I believe there is a disposition to demand that those who are willing should do so without remuneration, and it appears to me that the pay proposed is altogether too little. I think the volunteers should be paid at least 75 cents a day for their services. The equipments of the volunteer companies in the past have been such as to disgrace those who have had the control of this department; with proper pay, proper equipments and proper encouragement, you would find the draft altogether unnecessary to keep up ample force for the defence of the country under ordinary circumstances. And then there should be proper provision for enrolling the Militia of the country, so that when an emergency did arise the volunteers should be backed up by the Militia. Another object should be to adopt some means to place in the hands of the inhabitants of this country, at a cheap rate, say at prime cost, the most approved arms in use at the present time, and to encourage Rifle Associations, so that they may become expert in the use of such arms. Means might also be taken to introduce into our common schools a system of military training. There is no time when a person will easier acquire a knowledge of military tactics than in the earlier years of life, and I have no doubt that the boys in our common schools would take to military training and discipline with an aptitude that would secure to the country when these boys grew up, men efficient in military discipline and ready to do military service to the country. Assuming a measure might be adopted, if properly considered, which would secure these provisions for defence under ordinary circumstances, I will revert briefly to the question of fortifications. I do not intend to go at length into this subject, but one or two questions connected with it suggest themselves to me at the present moment. I know that there is a feeling that the requirements of the British Government should be met in this particular case. There is an idea in some quarters that if a man objects to

anything which emanates from the statesmen of Great Britain, he is to be set down without further ceremony as disloyal. I conceive that true loyalty does not consist in devotion to an abstract idea, or to a particular system, nor to slavish deference to the opinions of men high in power, but in devotion to the best interests of the country in which we live, and in seeking, as far as practicable, the full development of its resources. And if a demand is made upon us for any work which is beyond our means, we have the right, I think, as a free people, to question the propriety of undertaking such a work. I presume there is not an honourable member in this House but is anxious to maintain the connection which exists between the mother country and the New Dominion. I presume there is not an individual among us but would deprecate the idea of anything like a severance of that connection, and would be willing to make almost any amount of sacrifice to strengthen the bonds which unite us to the mother country. And I venture to say you will find few men in the whole Dominion of Canada who are not devotedly attached to the Government of Great Britain and to the institutions of our country as at present constituted. But it does not follow from this as a matter of course that we are bound to adopt without question any system which is suggested to us by public men in England, no matter what the expense of that system may be—even though that suggestion may be made and accompanied by the pressure of the alternative sometimes put by English statesmen and the public press, of either adopting such suggestions, or of the severance of our connection with the mother country. And, when we are called upon to expend \$3,000,000 in fortifications, we are entitled to ask whether such works are likely to be of any practical utility to the country in the way of effecting the object they have in view, and, if not, we are entitled to question the propriety of expending so large a sum upon them. I think it is idle to suppose that the fortifications proposed here are going to secure the country against invasion by the people of the United States. It may be unpalatable to some, and unpopular for a person to admit that we, a people of three and a half millions, are not able to set at defiance, and menace and insult, and sustain ourselves in menacing and insulting a people of thirty-five millions upon our borders. But no one can look at the geographical position of this country, and come to any other conclusion than that its

defence against invasion in a war between the United States and Great Britain is for the time being a matter of impossibility. (Marks of dissent.) In saying this, I do not wish to be misunderstood. In the case of a war with the United States, the Western Peninsula would in the first instance be swept by the American forces. But no one who knows the resources of Great Britain and the United States, can doubt what would be the ultimate result of a contest between them. The battle would be mainly fought on the ocean, and there is no question that ultimately the Government of the United States would be compelled to leave us in possession of our liberties and of our territory. But for the time being—and, Mr. Speaker, there is no sense in our attempting to conceal from ourselves the hard logic of facts—there can be no doubt that the Western Peninsula would be swept by the American forces in spite of all the fortifications that can be erected with five millions of dollars. I do not believe that this state of things could exist for any length of time. Although we should be the sufferers in the meantime, ultimately there can be no doubt that the position of the British Empire, and of ourselves as a portion of it, would be vindicated. But there is no use in concealing from ourselves obvious facts, nor deceiving ourselves by ignoring in our calculations the real strength of our neighbours or our own means of defence, and I say it is utterly futile to undertake such works of fortification as are proposed by the Minister of Militia; with the idea that they would prevent the successful invasion of the Western frontier of the Peninsula. They would only, as the honourable member for Lambton (Mr. Mackenzie) justly remarked, afford way-stations by which the British troops might be gradually withdrawn from the front in case of want of success. The question then arises, if the fortifications proposed by the Minister of Militia would be insufficient, what fortifications would be sufficient? I apprehend the resources of this country would not warrant us in undertaking a system of fortifications that would secure us against a temporarily successful invasion in the contingency of war. I apprehend the true defence of this country consists in the loyalty and devotion of the people to its best interests; and it would be, I think, injudicious in the extreme for us to undertake such a system of defence as would cripple the energies of this young country. If we want a happy, contented and loyal people we must make them so by the kind of

legislation introduced into and carried through this Parliament, by the wise development of the resources of the country, and by building up such institutions, and having such a prudent system of Government, as will contribute to the prosperity, progress and contentment of the people. (Hear, hear.) If all this is well attended to, I apprehend no difficulty in securing our country against any enemy that might be induced to assail us—for a people devoted to the institutions of their country, loyal in heart, and strong in arm, are not to be subdued by any enemy. (Hear, hear.) But if you go into a system of defence and fortifications, the expense of which will sap the very life-blood out of the people—if you burden them with a system of taxation that is oppressive beyond bearing—you make them discontented and unhappy, and what then will your fortifications amount to? I venture the opinion, Sir, that there is a danger in the proposition of the Minister of Militia, of bringing about the very thing which he seeks to avoid. The object of a system of defence against a possible invasion on the part of the people of the United States, is to prevent the possibility of our being brought under the control of the American Government. But, if you adopt such a system as will cripple the development of the country, check the flow of immigration, and crush the people down under a burden of taxation which they are not able to bear, you will cause the people to consider very gravely the other alternative, of falling into the arms of the United States, and you precipitate the very state of things voluntarily on the part of the people, which you seek to avoid by the erection of fortifications. I yield to no man in devotion to the interests of the country of my birth, and of the empire to which we belong, and there is nothing I would wish more to avoid than anything like a disruption of the component parts of that empire—and with that view what I would seek to accomplish is the building up of this country, the development of its resources, and the establishment of institutions which will secure the well-being of its people, that we may have in our institutions and in our nationality something to be proud of as a people, something for which we are ready to spill the last drop of our blood in its defense. (Cheers.) But this will not be realized, if we undertake more than we are able to accomplish. I think it is high time for the representatives of the people in this Parliament to consider whither we are drifting at the present moment. I ask you

to take into consideration the present state of this country from a financial point of view, and see whether we are not, in our new-born dignity—in the importance we attach to ourselves under this new constitution—whether we are not going into a system of extravagance, which will bring about a deplorable state of affairs in this Dominion. (Hear, hear.) We are entering this new state of things with a debt hanging over our heads, amounting in the aggregate, including the debts of the different Provinces, to \$82,200,000. Then we propose to expend on works of fortifications, \$5,000,000; on the Intercolonial Railway, \$20,000,000; probably, in the acquisition of the North-West, not less than \$5,000,000; there is every probability from the estimates brought down, and the state of trade in the country, that there will be a deficit of \$2,000,000 for the year ending 30th June, 1868; add \$10,000,000 of extras on the Intercolonial Railway, and \$5,000,000 on the fortifications, if undertaken on the proposition of the Minister of Militia; and you have a total burden of indebtedness on this country, with a population of only three and a half millions, \$135,000,000, without there having been anything in the shape of war to bring on such a state of indebtedness. (Hear, hear.) I ask, when we are doubling our debts in the first Parliament of this Dominion, when we are adding to the burdens of the people at such a rate, ought we not to pause and consider whether the works proposed by the Hon. Baronet at the head of the Militia Department are required for the defence of the country at this moment, before we rush blindly at anybody's dictum into this scheme. I have no objection to our doing what lies in our power to meet the requirements of Great Britain, and to secure the proper defence of the country, and the means of defending it, in case of invasion. But I think it utter folly to throw our whole resources into a system of defence, when there is no probability of a war taking place with any enemy that could materially affect us. (Hear, hear.) I do not propose to occupy the time of the House any further on this subject. I merely wish to throw out these remarks and suggestions, and think if they have not the merit of being based on military experience, they will at least commend themselves to the common sense of the House and of the people of this country, who look with grave apprehension for our future on the enormous taxes that will be required to keep up the system of extravagance which is being inaugurated in this new Dominion. (Cheers.)

[Mr. Bodwell (Oxford South).]

Mr. Blanchet said what we required in the country was not a standing army, but that we should have every man ready in an emergency to fight the battles of this country. No one was more willing than himself to acknowledge the good that had been done during the past three or four years by the volunteers, but it must be remembered that that force could only be kept in times of excitement. He paid a high compliment to the volunteers of the old Province of Canada, particularly in that part now called Ontario, but the system did not sufficiently extend itself into the rural districts; and the Bill before the House would remedy the fault. He was glad to find that the organization of the Sedentary Militia, which had done such good service in 1812, had been provided for, and he considered the training which it was proposed to give the officers would be of great benefit. This branch of the service cost comparatively nothing, but in the event of war they could be brought into the field, and in a short time receive such training as would enable them to support the active force effectively. It had been the peculiarity of great nations to believe a great destiny was before them, and this very belief helped to make this destiny great. We in this New Dominion should accustom ourselves to believe this would be a great country, and if we would have it so we must prepare to defend it.

Dr. Parker said, we were standing at the commencement of our existence as a Dominion, and it was assumed that we had to adopt a system of defence suited to the Dominion. It did not appear to him that the Government had considered this question with that attention which its importance demanded, and which the various interests involved in it imperatively required that it should receive. Among the several systems of defence there were chiefly two; the continental system or that of Europe, and the American system that which prevailed in the United States before the American war. The continental one of constantly arming and preparing for war had led to the most disastrous results, and produced more internal weaknesses and premature decay than all the evils together under which Europe laboured. Yet this was the system the Government proposed to introduce, not heeding the fact that in Europe, Prussia, the nation which had best husbanded her resources, had won the most brilliant victories of modern times; and not heeding the wonderful progress in military science made by Americans also within

the past few years. Till then, like Prussia, the United States had wisely husbanded their resources, and when the time for war came they put forth their strength with such effect as in a year or two made them one of the foremost military nations of the world. Why could not this example have been followed, rather than one which had led to most impoverishing results. Again, if war should come, he believed they would at once find the necessity for having had definite relations with the mother country on the question of defence and expenditure for war purposes. This was a matter which had not been attended to by the Government, and it was one on which a misunderstanding must almost inevitably arise; and hence it was to be regretted that it had not been settled at the outset. As then no offensive war was contemplated by the Dominion, 40,000 men must be a repelling force and, as a defensive force from border raids, such as that of 1866, it was altogether too costly and in excess of what was needed, while on the other hand, if intended as a nucleus of preparation, for possible war with the United States, it was futile and miserably inefficient. For such a purpose, all the elements of an army were, in reality, requisite. In either case, he considered the measure an act of the most monstrous folly ever proposed to be perpetrated on any people. He then contrasted the organization proposed under this Bill, with the existing system. In the first place, the volunteer organization was, undoubtedly, one which would be regarded with most favour by the people. They would dislike the force proposed by this Bill, because service would be compulsory and because, on the very face of it, the inefficiency of the measure as a whole was patent. According to the Bill now under consideration these 40,000 men went out at the end of the two years after having received a few hours drill yearly, and would be then as incompetent almost as the 40,000 who would be called on to fill their places. The system, altogether, was a most inefficient substitute for the existing one. This had admirably answered the purpose for which it was designed, and had the Government encouraged it, they might at any time have been able to get together 50,000 men, better drilled, more zealous and more willing and able to defend their country than the men now to be enrolled. He would not oppose the Bill on the second reading, but if certain alterations were not made in it at an ensuing stage, he would take the responsibility

of moving an amendment. As to the fortification question, that was one which he would discuss when it came properly before the House.

**Mr. Thompson (North Ontario)** concurred in the views of previous speakers, that the effect of the proposed system would be to destroy the volunteer force. That force, he regretted to say, had not been sufficiently encouraged. Had more attention been paid to promote its efficiency, the people of the Dominion would be far better off with it, than they would be with the proposed militia.

**Mr. Grant** said it was all very well for honourable gentlemen to find fault, but it was easier to do that than frame a Bill. He thought the Minister of Militia deserved credit for his measure, and he hoped that he would see to it that, in connection with the force, a proper medical staff were organized. He would have much pleasure in voting for the second reading of the Bill, believing that in Committee the Minister of Militia would consent to any necessary amendments being made in order to increase the efficiency of the force.

**Mr. Young** would not follow on the ground taken by those who had preceded him; but would confine himself more particularly to the scheme of defence brought down by the Government. That scheme proposed a complete revolution. He contrasted it with the system hitherto prevailing. For the first time on this continent the germs of the European military system were to be introduced; conscription was to replace the volunteer system; and they were to have fortified cities and garrisons placed in them; so that, in almost every respect, their system was to be a copy of that obtaining on the Continent of Europe. To his mind, the change was not only altogether unwarrantable, but was one which must in the end, prove most disastrous. When it became known that, in the Dominion, the system of conscription was to prevail, whereas in the United States it did not, then the little immigration coming to this land at present, would soon become smaller by degrees and beautifully less. Besides, he regarded this measure as but a commencement. The end, they did not see. The system would, by-and-by, be expanded, and so would their fortifications, until there was no saying where the limit would be. The cost of the proposed system was, undoubtedly, a very material consideration, and, added to the existing debt of the Dominion, there would be an enormous

expenditure created, such as must very materially overburden the country. The honourable gentleman next pointed out the inefficiency of the measure, as one designed to call out a large force for the defence of the country. If this Bill became law, his belief was that in one year, not only would they have no volunteers, but they would have no force whatever which could be relied on in time of danger. He thought there had never been a Bill introduced into the Parliament of Canada which would give the country less value for its money. If the Government really desired to create an efficient force beyond question, they ought to abandon their present scheme, and maintain and encourage their volunteers. Rifle Associations ought to be fostered, and the ordinary militia should be thoroughly enrolled, and placed in such a state as would enable the authorities to call them out in twenty-four or forty-eight hours. Once commence such a system as that now introduced, and it would be found no easy matter to revert to a more moderate and less expensive scheme.

**Hon. Stewart Campbell** said that he did not propose, at that stage, to enter into a discussion of the details of the measure. Assuming the general statement to be that some such measure was necessary in reference to their status, and the position they were in future to occupy in the world. With regard to the details of the measure there might be differences of opinion, but he thought that honourable gentlemen generally should have afforded every facility for the measure going into Committee instead of prolonging the debate at that stage as has been done. As to the statement of the member for Lambton that the reports of English Engineers on the fortifications, showed that the main object in constructing these works was to enable the British soldiers more security to retreat, he (Mr. Campbell) regarded such an interpretation of the reports as a libel, and one wholly unwarranted. He did not believe that the British authorities ever had that object principally in view, so far as these fortifications were concerned. With regard to the militia system, he would say, that the establishment and maintenance of a sound system of militia would be one of the best guarantees they could have for peace, and it was only a wise and prudent policy for the Government to initiate such a measure as this. He did not agree with the honourable member for Lambton that the only danger to be apprehended was from filibusters, or raid-

[Mr. Young (Waterloo South).]

ers, such as those who crossed the line in 1866. He was convinced that one of the doctrines most firmly held by the citizens of the United States was, that the whole boundless continent was theirs, and that article of their political creed might yet furnish work for the militia of Canada very different from that of merely repelling a horde of miserable marauders. He was not, at present, going to occupy the House at greater length, but hoped honourable gentlemen would allow the Bill to go into Committee as speedily as possible.

**Mr. Mackenzie** said that he could easily enter into statements to show the correctness of his assertion about the defences, alluded to by the honourable gentleman who had just taken his seat. He had no intention whatever to use any language which could be interpreted as a slur upon the Imperial troops, and he did not think he had used any such language. What he had stated was, that, judging by their despatches, it seemed to be the policy of the Imperial officers to provide means of escape from the interior for British troops. That was the purport of his remark, and he was quite sure that he could satisfy his honourable friend that there was ample ground for the statement.

**Mr. Magill** spoke in glowing terms of the heroism of the volunteers, and went on to say that there were two parties opposing the Bill; one of these believed that the best defence of the country was no defence at all; the other was enamoured of the volunteer system. As he had said that system had worked well, but he thought the measure now introduced was the one demanded by the country, and, although some alterations might be made in it, he hoped the Minister of Militia would not alter its main provision.

**Mr. Redford** opposed the Bill, as extravagant in its provisions. The volunteer system was altogether preferable. As to the fortifications proposed, they would lead to a frightful waste of money.

**Mr. Thompson (Haldimand)**, admitting that the volunteer system was one requiring many improvements, hope that it would not be abrogated altogether. The Minister must remember that the volunteers of the country had an old account to settle with the Fenians, and if ever the opportunity were to occur, he hoped that they would be permitted to enjoy it. (Applause).

**Mr. Pope** did not think that volunteers had received the amount of encouragement they had deserved, and even the inducements held out to them originally, such as exemption from jury service, had been subsequently abrogated. He believed, however, that no draft would ever be necessary, for that a sufficient number of men would always be found ready to volunteer. He thought that no volunteering should be permitted for a less term than three years (hear, hear), and that during this period he should be considered a soldier of the country, and, for the time of his actual service, receive at least 75 cents daily. He held that the staff was altogether too expensive, and would throw a greater responsibility on the Lieut.-Colonels, leaving them to decide upon the number of days necessary to perfect the drill of their respective battalions, the remuneration for which should be made dependent on the effective results whether obtained in a short time or otherwise.

**Mr. Monroe** having briefly supported the motion,

**Mr. M. C. Cameron** took exception to the fortification propositions, contending that they left Goderich completely exposed. Sarnia was also undefended, but Goderich was more worthy of protection, being the centre of a district rich in salt and saltpetre.

**Mr. Ross (Dundas)** supported the Bill.

**Sir George E. Cartier** in reply, said that he scarcely thought that justice had been meted to himself or his measure, which had been branded as framed with the object of destroying volunteering. There were very few battalions which maintained their nominal strength. On the 30th June, 1866, there were actually serving 31,841 men, while there were certified on the enrolment 30,109. In the following year, there were enrolled 33,754, while there were actually under orders only 23,172. Since then the numbers had been steadily decreasing. Of these numbers, it would be very unfair to ask or expect the bulk of the representatives to leave continuously their trades or employments in case of need. The G.T.R. Battalion, or the Civil Service Battalion could not be spared for other than garrison duty. The Montreal Volunteers in recent emergencies, could not have left their homes without the great aid which had been afforded to their families by public subscription. These considerations had led him to come, not to the destruction, but to the relief of the volunteer force, upon whom it was most unfair to impose the whole burden of the defence of the country. He went on to explain the several points of detail upon which the Bill had been attacked, and the Bill having been read then a second time, moved its reference to Committee of the Whole tomorrow, after which the House rose at half-past twelve o'clock.





## HOUSE OF COMMONS

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Friday, April 24, 1868

The Speaker took the Chair at three o'clock.

### VERCHÈRES ELECTION

Mr. Crawford moved that the Verchères Election Committee have leave to adjourn till Wednesday, 6th of May.

### ARGENTEUIL ELECTION

Mr. Webb moved that the Argenteuil Election Committee have leave to adjourn until the 13th of May next. Carried.

Messrs. Cayley, Bowman, Kemp, Magill, and Irvine, Chairman were sworn at the Clerk's Table as the Committee to try the Argenteuil Election.

### BANKS USING DOMINION NOTES

On motion of Hon. Mr. Rose the House concurred in the amendments made in Committee of the Whole to the Bill to enable Banks in any part of Canada to use notes of the Dominion instead of issuing notes of their own. Bill to be read a third time on Monday.

### GEOLOGICAL SURVEY

On motion of Hon. Mr. Rose, the House concurred in the resolutions respecting the Geological Survey reported from the Committee of the Whole.

Hon. Mr. Rose then introduced a Bill to make provision for the Geological Survey.

### THE CURRENCY BILL

On motion of Hon. Mr. Rose the House went into Committee of the Whole on the Bill respecting the Currency, Mr. Street in the Chair.

The Committee rose and reported the Bill.

Mr. Cheval, on the question of concurrence being put, moved an amendment to provide that English copper coins and copper coins issued by Incorporated Banks of Canada, be a legal tender to the amount of 20 cents in any

one payment. The penny sterling and the penny issued by any of the Incorporated Banks to be cash current for two cents.

The amendment was lost and the Bill was ordered to be read a third time on Monday.

### DEPARTMENTAL CONTINGENCIES

On motion of Hon. Mr. Rose, the House went into Committee on the Bill to regulate and restrict the contingent charges of the Departments, Hon. Mr. Gray in the Chair.

Mr. Mackenzie said he thought the Bill ought to be reconstructed. The honourable gentleman would find that by this Bill there would be very little check imposed on expenses. The 5th and 6th clauses ought to be amended so as to provide that all payments should be refused until the end of every month, and then that the accounts should be submitted entirely to the Board of Audit. In the matter of printing and stationery he was aware that the departments were quite as much imposed on now as ever. For one account submitted to the Public Account Committee, he found four charged \$12 per thousand for printing names on envelopes, a work which could be as well performed by the printers to the House for 88c. The persons making this extravagant charge were Duvernay Bros., of Montreal. It was time such extravagance should be put an end to. If it was necessary the Government should have organs and subsidize them, far better that they should at once ask a vote from the House for the amount necessary to sustain their organs, than that there should be any connivance at such a monstrous system of overcharge. The Public Accounts contained so many items of this kind as to make it absolutely indispensable that some checks should be introduced. In making these remarks, he had no intention of censuring the Government. What he objected to was the system under which these charges were allowed; and now that the Government were bringing down a measure providing checks on stationery and other contingencies, he held that they ought to accept the suggestions made them in order to render their checks more efficient. He would desire to call the attention of the Government to the 10th clause, under which

there was the extraordinary provision that the estimates for contingencies in each department shall be prepared separately for the Government, but should be submitted to Parliament in one lump sum. At present there was a strong complaint against the generalizing of the expenditure for contingencies, but if this clause passed as it was, they would have the entire sum of \$187,000 under the head of contingencies named without giving any particulars at all. Now that certainly would never satisfy the House. In making this observation, he did so not with a view to create political capital, but simply in order to aid the Government. That Government, as all others, he knew was subjected to constant pressure, and he would desire to see them relieved. If the Government were willing to postpone the objectionable features of their measure, or to agree that the Committee rise and report progress, he would prepare the necessary amendments to alter the Bill in the direction indicated.

**Hon. Mr. Rose** agreed to get through with the unobjectionable clauses and leave those alluded to by the member for Lambton for future consideration.

**Mr. Connell** thought the suggestions of the member for Lambton valuable.

**Hon. Mr. Dunkin** said that the important feature of the Auditor's position was that he should stand behind every one, and be a general revising officer. Far better keep him in that position than set him to revise the accounts now revised by the Clerk of Contingencies. He objected to the 5th clause as falling short, inasmuch as it proposed that in certifying to an account all an officer had to do was to write under it "Certified". The certificate ought to be in detail, so that there should be no misunderstanding about it afterwards.

**Hon. Mr. Rose** agreed that there were a number of important checks on these contingencies which could not be overlooked. The sum had to be voted in Parliament; it had to come in detail before an officer of the department; then to be signed by the deputy head of the department, and there were other safeguards.

**Mr. Mackenzie** admitted that there were many checks, but the misfortune was that the officer checking might not be aware of the value of what he was certifying to, and as in the case of printing he had alluded to, an

[Mr. Mackenzie (Lambton).]

account which was a gross overcharge might be certified. What he desired was that all accounts should be paid monthly, and audited by somebody, just as would be done in a commercial house. Then the audit would be such that in the largest amounts not one cent would be over paid.

**Hon. J. S. Macdonald** was glad the Government was moving in this direction, as the Government of Ontario had moved before them. In the matter of printing, for instance, the latter Government were getting all their work done by one firm, and that at a scale so low that he was ashamed to mention the prices. (Laughter). He knew that the various and heavy charges for public printing throughout the country had always caused considerable embarrassment to the Government. Let the present Government give all the business to one man, and provide a proper system of checks over his charges, and he ventured to say that the Legislature would save \$9 out of every \$10 now expended in this branch of the public service, and in this and every branch, if trustees of the public money would only be as careful in its distribution as they would be of their own, there would soon be another and a very different state of things. They should not be above getting a good article at the cheapest rate. He had endeavoured to do this in Ontario and he flattered himself that in that way he had effected a great saving, and lightened the burdens of the people considerably. He strongly objected to paying large sums for printing in order to support Government organs, and hoped that Government would at this stage make up their minds to have but one printer, and make the best bargain possible with him. He found over \$35,000 charged for public printing, and over \$1,000 for pens. What, he would like to know, was the custom of the Government in purchasing their stationery? Did they purchase it at the large establishment *en bloc*, or allow each head of a Department to purchase as he pleased. He was afraid the latter expensive course was followed, and hoped it would be abandoned.

**Mr. Young** could see no difficulty whatever in adopting a scale of prices for the Departments by which every article might be purchased. Let it not be too low, but a fair scale above which the accountant ought not to have the liberty to go. In relation to the remarks of the member for Cornwall, he (Mr. Young) thought it only just to the press to

say that a very large proportion of the newspapers of Canada received no patronage from the Government whatever, and were uninfluenced by such mercenary motives.

**Hon. Mr. McDougall** said that if in going through Committee any suggestions were made by honourable gentlemen in furtherance of the object had in view by the Government, they would be gladly received. The old law with regard to expenditure had been to leave the matter entirely to the departments under Orders-in-Council. Now this Government proposes to get rid of the difficulty arising under that system by fixing the matter so that there shall be no interference by Order-in-Council, of old there was a divided responsibility which led to uncertainty, and this Bill provided a remedy. In regard to charges for the public service, there always had been a tendency to swell them as much as possible. Under the law to go into force the prices must be certified before hand, and instead of the old system of routine and uncertainty the Government had endeavoured to fix the responsibility.

The first two clauses were passed.

On the 3rd clause,

**Mr. Mackenzie** suggested that the hearing of the House should be left to the officers of the House as heretofore, and not be transferred to the Board of Works. The Sergeant-at-Arms had hitherto caused this to be admirably done.

**Hon. Mr. McDougall** would be quite satisfied personally to make the change suggested by the honourable member, inasmuch as it would relieve the pressure on the Board of Works Department. The Sergeant-at-Arms had certainly managed the matter well; but, as a matter of law, it would be better to leave the management of the public works under one department; and he thought it better to leave the Bill, in this respect, as it had been drawn.

**Mr. Mackenzie** stated that there was a good deal to be said as to the way in which this Department of Public Works had managed the affairs committed to it. He found they paid their own salaried officers \$5 a day to superintend the repairs of the Parliament Buildings.

**Hon. Mr. McDougall** explained that Mr. Page, the gentleman alluded to, had been allowed by Government, not the department, this additional sum for additional services rendered, and an examination of the work he

had performed would convince any honourable gentleman that the amount he had saved the country was such that they were great gainers by the arrangement. As a means of extricating the Government and the country from contracts and sub-contracts and endless confusion, the plan adopted by the Government of placing the construction under the charge of this officer was the best that could be adopted.

**Mr. Mackenzie** could only say that when an officer received a salary in the Public Works, or any other department, his whole time belonged to the Government. Still, this was but a small part of the abuses connected with this department. But he would call attention to this, that while the honourable gentleman here states that the public buildings ought to be in charge of his department; yet here it is found that all the time he is paying this officer \$5 a day in addition to his regular salary, and so far from that arrangement being a saving to the country, he (Mr. Mackenzie) contended the country would have saved money if Mr. Page had been paid \$5 a day to keep out of this matter. For other duties the man was paid \$15 a day; for still further duties \$5 more; so that, with a nominal salary of \$3,400 last year, he actually realized \$7,400. It was clearly a monstrous abuse.

The House rose at six o'clock.

After recess,

#### NIAGARA DISTRICT BANK

**Mr. Street** moved that the Bill from the Senate, demanding the Acts relating to the Niagara District Bank, be read a first time. Carried.

#### CLIFTON SUSPENSION BRIDGE

The House then went into Committee on the Bill to incorporate the Clifton Suspension Bridge Company as amended—Mr. Walsh in the Chair.

The Committee rose, reported the Bill—3rd reading on Monday.

#### NIAGARA FALLS GAS COMPANY

The House went into Committee on Mr. Street's Bill to authorize the Niagara Falls Gas Company to extend their works for the purpose of lighting the town of Clifton, as amended by Committee on private Bills. Mr. Jones took the Chair.

The Committee rose and reported the Bill—3rd reading on Monday.

## DEPARTMENTAL CONTINGENCIES

The House went again into Committee on Mr. Rose's Bill respecting the contingent charges in the public departments.

The 8th clause was amended so as to provide that the contingent accounts should be submitted to Parliament separately, but might be voted in one sum.

In the 11th clause, the words "Under the Civil Service Corps" were struck out, and "Under the Board of Audit" substituted, so as to make the clause agree with the 5th.

On the 14th clause.

Hon. Mr. Holton said, the House had been greatly indebted to the honourable member for Lambton for the careful analysis he had made of this Bill. The Finance Minister, too, deserved credit for bringing down this measure. It was an honest attempt to correct abuses which had grown up under the old system; but it was obvious that it was not so much from the law as the administration of the law that the hope of remedy lay. And taking this view, he was very glad to find the Finance Minister making himself in an especial manner responsible for the success of this measure, and he (Mr. Holton) would say that taking the Bill as it stood, and basing his calculation on the last estimates, he believed that the honourable gentleman opposite had it now in his power to effect a saving of at least \$50,000, which would represent a capital of one million at interest. This was his (Mr. Holton's) firm conviction from his knowledge of the public accounts.

The Committee rose and reported the Bill third reading ordered for Monday.

## MARINE AND FISHERIES

The order being read for resuming the adjourned debate on Sir John A. Macdonald's motion for the second reading of the Bill for the organization of the Department of Marine and Fisheries.

Hon. Mr. Holton stated he proposed at another stage to take the sense of the House on the general question of the number of the departments.

The Bill was then read a second time, and the House went into Committee of the Whole on the same—Mr. Jones (Halifax) in the Chair.

The Committee reported the Bill with amendments; 3rd reading ordered for Monday.

## DEPARTMENT OF INLAND REVENUE

Hon. Mr. Howland moved the second reading of the Bill instituting the Department of Inland Revenue.

Hon. Mr. Holton said, in the absence of the honourable gentleman, this Department had been attacked as utterly useless. As the honourable gentleman had been an advocate for the reduction of needless offices in former times, he ought, in order to vindicate his own consistency, to be able to meet the attack, and to show the utility of the Department.

Mr. Howland made some remarks, a large portion of which were quite inaudible in the gallery. He was understood to give statistics as to the large number of officers employed in the Inland Revenue and Customs branches of the Treasury in England, and to contend that in this country the duties of these branches would be too extensive to be properly performed in connection with the Finance Department. In that case, the control of each of these branches had to be in the hands of a deputy, and the question was whether the real heads of these important branches of the public service should be irresponsible deputies or heads of departments having seats in Parliament, and responsible to Parliament. He had not understood that it was the intention of Government to bring on this measure to-night, and was not so well prepared as he might have been for a debate on the utility of his department, which he had expected would be included in the debate on the departments generally. During this year the collection of Inland Revenue would amount to about \$3,000,000. Next year he expected it would be three and a half millions, and he had the satisfaction of informing the House that it had been collected at a cost less in proportion than in any other country which had an Inland Revenue system.

Hon. Mr. Holton—What per centage?

Hon. Mr. Howland—Below 4 per cent.

Hon. Mr. Holton said he was sure the House would give his honourable friend credit for desiring to manage this or any other department with which he might be connected with the utmost economy. He agreed also that in the Financial Department there had been room for subdivision; but he did not think two new departments should have been carved out of it. He would have abolished the Receiver-Generalship as a useless office, and would have had a new minister responsible to

Parliament, charged with the administration of the revenue laws. But he objected to two ministers having departments made for them out of the administration of the revenues.

**Mr. Scatcherd** said the contingencies of all the departments for the present year were \$187,000. This new department had of this the large amount of \$31,000. Could the honourable gentleman explain how this was?

**Hon. Mr. Howland** was understood to say that he had not the figure with him.

**Mr. Scatcherd** said if the honourable gentleman was to expect credit for managing well the affairs of his department, he ought to know something about these contingencies, which were immediately under his control. He was only sorry that his honourable friend, who in past times had been loud in his professions to reform, should have accepted an office which to almost every member of this House seemed to be altogether unnecessary. The honourable gentleman, in vindication of his holding a useless office, had read a statement showing that the officers of his department were more numerous, or less numerous—he (Mr. Scatcherd) could not gather which—than the officers of the corresponding departments in England. However that might be, he (Mr. Scatcherd) believed that the officers in his honourable friend's department were just as numerous as it was possible to make them. His honourable friend had given another instance of what had too often been the career of Reformers when they took office: instead of carrying out their professions of economy, their administration had been marked by extravagance like snow by a track of blood. (Hear, hear.) So little care did his honourable friend now have about expenditure that he could not give any information about the contingencies in his own department. It was a matter to him of deep regret that in connection with the organization of these departments the House should be voting away large sums without any present information as to the way in which they were to be expended. (Hear, hear.)

**Mr. Jones (Leeds)**, if in order, wished to move the resolution, of which he gave notice some days ago, to the effect that in the opinion of the House the number of salaried heads of departments should not at any time exceed nine.

**Hon. Mr. Holton** said he would prefer, if this resolution were not moved as an amend-

ment to the motion for the second reading of the Bill, the sense of the House might be taken on the number of departments under more advantageous circumstances.

**Sir John A. Macdonald** said the Government were satisfied they were right in the ground they occupied as to the number of departments, and would rather meet the resolution fair and square on its own merits than have it put as an amendment to a particular Bill.

**Hon. J. Sandfield Macdonald** also recommended Mr. Jones to move his resolution as a substantive motion on some future occasion.

**Mr. Jones** stated he would do so, and withdrew it for the present.

**Dr. Parker** thought the affairs of this department had not been administered as they might have been with a special officer at their head. The department had overridden the law, and was not efficiently managed. Persons had been employed to perform the duties appertaining to officers of the department. He noticed one of the principal excise officers, who received almost as much for travelling purposes as he received for salary. His travelling expenses were over \$1,000, and what he could be at in those peregrinations it was difficult to say. He might be seen very often in the gallery of that House. As to the formation of the Cabinet to which allusion had been made, it appeared to have been dictated by expediency rather than any other motive; when it suited ministers, Cabinet vacancies were filled immediately; when it did not suit there was a suspension of the office. When it was convenient the great Liberal party was left to be represented by the two honourable gentlemen sitting together; when it was convenient, Nova Scotia was left with only one representative. He could not but sympathize with the representation of the Liberal party in the Government in the unfortunate position in which they were placed, having lost one of their colleagues, and being unable to check-mate the leader of the Government.

**Hon. Mr. Holton** said that the honourable leader of the Government had lately vaunted himself very stoutly on his ability to keep his party together and carry out his schemes. It was quite possible the honourable gentleman might fulfil his threat. He had already succeeded by alliances, in keeping his position and doing much to accomplish the ruin of the country, under the old regime. He might be enabled to ruin this system of Government

which has just been inaugurated, as he had succeeded in destroying the old system and bringing public affairs at length to that deadlock which rendered it impossible to discharge the business of the Province. It was not often the same man was given the ability to ruin his country twice, but the honourable leader of the Government had that singular fortune. He (Mr. Holton) remembered the old days of the Union between Upper and Lower Canada. In those days the great Conservative party boasted as its leader the present Chief Justice Draper. It had one youthful genius of great promise when the present Chief Justice retired from politics. He referred to the member for Peel. Mr. Cameron, the member for Peel, devoted his brilliant talents to the pursuit of his profession, of which he was one of the chief ornaments. Then the great Conservative party of Upper Canada in its extreme poverty found itself obliged to accept the leadership of the member for Kingston, and one of the first fruits of that honourable gentleman's policy was seen in the conflagration of the legislative buildings in Montreal. As he began so he progressed, and it was now a matter of history that during the whole course of his leadership he never for one single moment succeeded in obtaining the confidence of the majority of the representatives from his own section of the Province. He was sustained by the steady support of the Minister of Militia; but in his own section of the country from the days his party first acknowledged his leadership to the end of the Government of Canada, he never for one hour commanded the confidence of the majority of the representatives from his section of the Province. And now the honourable gentleman is venturing again in the identical course that brought ruin to the country before. (Hear, hear.) He is now venturing on the same course, and he (Mr. Holton) ventured to say that in this very portion of the honourable gentleman's policy which was under discussion, if he were permitted to wield the destinies of this country, that the same ruin which overtook our former constitution would more speedily overtake this. (Hear, hear.)

The House then went into Committee.

**Hon. Mr. Howland**, in allusion to the remarks of the member for Centre Wellington, alluded to the importance of frequent and constant inspection by the Excise officer. The gentleman specially alluded to was one of the most zealous and efficient of officers.

**Mr. Mackenzie** said that no one would deny the valuable services of Col. Brunel; but

[Mr. Holton (Chateaugay).]

however high the opinion held of any head of department, there must, nevertheless, be a close and wise supervision over his accounts, and he (Mr. Mackenzie) would like to know on what principle the travelling expenses are regulated.

**Hon. Mr. Howland** replied that \$5 a day was the sum authorized for this purpose.

In answer to Mr. Mackenzie,

**Hon. Mr. Howland** said that hitherto the cost of collection had only been about 3½ per cent. His estimate was that when the full staff was on, the cost would be 4 per cent.

The Committee rose and reported the bill as amended. The amendment was read and concurred in, and the Bill was ordered for a 3rd reading on Monday.

#### DEPARTMENT OF CUSTOMS

**Hon. Mr. Tilley** moved the 2nd reading of the Bill constituting the Department of Customs. Carried.

Ordered for the Committee of the Whole on Monday.

#### CONSOLIDATED REVENUE RESOLUTIONS

**Hon. Mr. Rose** moved the House into Committee on certain resolutions affecting the Consolidated Revenue Fund, Mr. Street in the Chair.

**Hon. Mr. Holton** inquired how the Government proposed to deal with the subsidies. These were not made a charge on the fund. Either they ought to be made a permanent charge on the Consolidated Revenue Fund, or they ought to be voted by the House.

**Hon. Mr. Rose** made some reply which was inaudible in the gallery. Whereupon,

**Hon. Mr. Holton** pressed his inquiry and charged a gross breach of faith on the part of the delegates from this Province to London, in departing from the basis of Confederation in particulars connected with this fund, while they were in London.

**Sir John A. Macdonald** denied the right of the honourable member for Chateaugay to call for instant explanations on every occasion he chose. That honourable gentleman had chosen just now to make himself particularly uncomfortable and disagreeable; but he had a peculiar idiosyncrasy, and his conduct was not to be wondered at. The honourable gentleman had insisted there was a

gross breach of faith. Was that a Parliamentary tone? Besides, the whole policy of Confederation, the whole policy of the Union, had been fully discussed in the answer to the address. Why did not the honourable gentleman, then, bring up this question? Why does he reserve it for to-night just because it suited him to be disagreeable and uncomfortable. Had he (Sir John) been younger when the attack was made on him perhaps the consequences would have been that he would have retorted; but he had not done so, and by to-morrow his honourable friend (for he would call him such) would regret having adopted such a tone. The most dignified answer which could be given to something which sounded very much like abuse he (Sir John) would give, and that was his pity and forgiveness. The affair was only an ebullition of temper, and it were best, perhaps, to say no more about it. Anything that the Government could answer would be answered on fair notice.

**Hon. Mr. Holton**—The honourable gentleman said he (Mr. Holton) was out of temper and disagreeable. As the old French proverb had it, "Nothing pinches like truth." It was a truthful picture which had been drawn of the honourable gentleman, and one which had been proven not only on that night but on previous occasions by his personal attacks. He (Mr. Holton) had felt it his duty to teach that member that blows could be given as well as taken, and did so by improvising a brief history of his career and its disastrous consequences. As to the honourable gentleman's "pity and forgiveness," he (Mr. Holton) scorned both and defied the honourable gentleman's power, as he had formerly defied it. He had at the outset no intention of provoking a personal debate. He rose merely to ask for certain explanations which had been withheld.

**Messrs. Blake and Dorion** also argued that a violation of the constitutional rights of the people of this country had been committed by the delegates from the late Government of Canada in England.

**Hon. Mr. Anglin** denounced as a breach of faith with the Lower Provinces the declaration of the Minister of Justice and the Minister of Finance that the subsidies to the Provinces were not a charge on the consolidated revenue any more than any appropriations that might be made from year to year by Parliament. This declaration would

create profound alarm in the Lower Provinces, which had given up their revenues on the faith that these subsidies were absolutely guaranteed to them. If that guarantee was not provided by the Imperial Act, the omission should be rectified in some way or other.

**Sir John A. Macdonald** said the Dominion would keep faith with the Provinces. It was no more bound to submit to taxation for its first debts than its last. If it chose to be dishonest, it might be so, but it was not for a moment to be assumed that the Dominion of Canada would be dishonest. However onerous the taxation might be, this Legislature would make provision for every shilling of our debts. The credit of the Provinces had always been good, and so he was satisfied would be to the credit of this Dominion.

**Hon. Mr. Anglin** said we were in the position of having a number of preferential debts, which implied a measure of insecurity as to those which were not preferential. Old Canada had not been able to meet her obligations except by borrowing more money, and if that was to be the system under the new state of things, it was one which might come to an end some day. The Confederation, if not a speculation, is at least an experiment, and he contended that there would be good ground for alarm in the Lower Provinces when they heard that no special provision was made for paying the subsidies. There would be new preferential debts created. The cost of building the Intercolonial Railroad, of opening up the North-West, of fortifications, etc., all these would come before the subsidies. The Minister of Justice said the payments of the debts of a nation was a matter of good faith, but a debtor must have something more than good faith; he must have the means for paying.

**Mr. Mackenzie** said there was no question of lower or upper Provinces in this matter. If the subsidies were not paid, the Provinces entitled to the greatest subsidy would suffer the most. In any case this could only happen through a deficiency of revenue, and as this could only happen through the Provinces not contributing sufficient taxation, each according to its fair share, no Province could possibly suffer loss. He thought there was no ground whatever for the alarm expressed by the honourable member for Gloucester. The allowing of preference to certain loans was merely for the purpose of giving confidence to foreign capitalists from whom we expected to get the money.

**Hon. Mr. Dorion** thought the argument of the member for Lambton went too far to be a sound one. If it was worth anything, then the whole subsidies might be abolished without injustice. The subsidies, however, had been fixed for particular reasons to favour certain Provinces more than others. The \$70,000 allowed to Quebec, and the \$80,000 to Nova Scotia, were more in proportion to the population and contributions of those Provinces than the \$80,000 to Ontario, and the sweeping of them away would be a breach of the agreement in virtue of which the Confederation was entered into.

**Hon. Mr. Dunkin** did not think the relative place of these charges signified anything, for he did not contemplate the possibility of their not being fully met. He hoped, however, it would not be allowed to go abroad that the provision in the Union Act went as far as might be inferred from the argument of the member for Lambton. The Union Act declared they should be paid semi-annually in advance. No stronger guarantee could be required. There could be no doubt that in the fixing of these subsidies a slight advantage was given to Quebec, a greater advantage to Nova Scotia, and a still greater advantage to New Brunswick. That was part of the bargain, and if the idea should go abroad that the bargain was not to be kept, then the Union must break down.

**Mr. Johnson** protested against the tone of Mr. Dunkin's remarks, as implying that the Lower Provinces had got more out of Canada than they were entitled to. At the same time, if this were true, they had made up for it by bringing cleverer men into the Union.

**Hon. Mr. Rose** regretted that any remarks should have been made conveying the least doubt; but Canada would keep good faith in meeting all her obligations. It was intended by a Bill, hereafter to be introduced, to make these subsidies a distinct charge on the consolidated revenue, and he did not suppose that even his honourable friend from

Gloucester had any doubt either as to the ability or good faith of the Dominion to pay all such charges.

**Hon. Mr. Fisher** said he had not the least fear that this Legislature would not give each Province its rights as secured by the constitutional Act.

**Hon. Mr. Tilley** said the member for Gloucester had professed to accept Confederation inasmuch as he admitted it had been accepted by the people of New Brunswick. But several of his recent speeches indicated that he was not carrying out that profession. His speeches to-night had been calculated, to say the least, to create distrust in the minds of the people of the Maritime Provinces as to the good faith of this Dominion in the matter of paying these subsidies. To express doubts as to the ability and good faith of the Dominion to meet its obligations, was to attack that credit which was of the most vital importance to the Dominion.

**Mr. Mackenzie** in reply to some comments which had been made on his previous remarks, said he had merely risen to point out the untenableness of the argument of the member for Gloucester. He did not, however, look upon it as possible that in any case the Dominion would fail to pay these subsidies, whatever might be our obligation. He was sure the people of these colonies were of a sterner stamp than to become repudiators.

#### PROVISION FOR MR. MCGEE'S FAMILY

On motion of **Sir John A. Macdonald**, the Bill to enable Her Majesty to provide for the widow and children of the late Hon. T. D. McGee, was read a second time.

The House then went into Committee on the Bill, Mr. Bodwell in the Chair.

The Committee reported the Bill, which was then read a third time and passed.

The House adjourned at ten minutes to one o'clock.



## HOUSE OF COMMONS

**Monday, April 27, 1868**

The Speaker took the Chair at 3 o'clock.

### HOCHELAGA ELECTION

**Mr. Irvine** moved that the Hochelaga Election Committee have leave to adjourn till 6th May next.—Carried.

### PRINCE ALFRED

A message was brought down from His Excellency as follows:—

The Governor-General desires to communicate to the House of Commons the following telegram, which reached him on the morning of Saturday, April 25th, from the Secretary of State for the Colonies:

To Lord Monck, Ottawa, Canada.

An unsuccessful attempt was made at Sydney to shoot the Duke of Edinburgh by one O'Farrell. His Royal Highness was wounded, but is getting on well and hopes shortly to resume his duties and sail for England in the next week. The assassin was arrested, avowed himself a Fenian, and is under trial.

DUKE OF BUCKINGHAM,  
London.

Government House, Ottawa, April 27th, 1868.

**Sir John A. Macdonald** said the atrocious attempt on the life of the Duke of Edinburgh, announced in the despatch, he was sure must excite feelings of horror in the breast of every honourable member. The message spoke for itself, and he thought they should at once, as their pleasure, offer the sincere congratulations to Her Majesty on the escape of her son. He moved that the message of His Excellency be referred to a Select Committee, with instructions to report an address to Her Majesty thereon, said Committee to consist of Messrs. Cartier, Dorion, Mackenzie, McLellan, Fisher, Campbell and the mover, and that they retire immediately to the Speaker's Chamber.

**Hon. Mr. Dorion** said he was glad the Government had resolved to ask the House to pass this address. He thought the unanimous sense of the House should be at once expressed to Her Majesty, to show that such a vile attempt met the abhorrence of the whole

of the inhabitants of this country, and that if the organization which was responsible for such attempts should engage in any concerted action against this part of Her Majesty's dominions, they would be prepared unanimously to resist it. (Cheers).

The motion was then agreed to and the Committee having retired to the Speaker's Chamber, returned after a few minutes with the following address:—

To the Queen's Most Excellent Majesty.  
Most Gracious Sovereign:—

We, Your Majesty's dutiful and loyal subjects, the Commons of Canada in Parliament assembled, declare to apprise Your Majesty with the expression of our horror and indignation at the recent atrocious attempt to assassinate His Royal Highness, the Duke of Edinburgh, and to convey our deep sympathy with Your Majesty in the distress and anxiety which the endeavour to take the life of one so justly dear to you at such a distant part of your Empire, must have occasioned. In uniting with Your Majesty in thanksgiving to Almighty God, that it has pleased Him to save the life of His Royal Highness, so recklessly and wickedly assailed, and in fervent prayer, that it may please God to restore him speedily to health and strength, we beg leave to assure Your Majesty that the high personal estimate with which His Royal Highness is regarded throughout the Dominion from the lively recollection of his gracious demeanour amongst us during his visit to this country in the year 1861, has heightened, if possible, our abhorrence of this detestable act. We take this opportunity of renewing to Your Majesty our assurance of our devotion and attachment to Your Majesty's throne and person.

On motion of **Sir John A. Macdonald** the address was agreed to, and it was ordered to be engrossed, and that a message be sent to the Senate requesting their honours to concur in the same.

### CLIFTON SUSPENSION BRIDGE

On motion of **Mr. Shanly**, the Bill to incorporate the Clifton Suspension Bridge Company was read the third time and passed.

### NIAGARA FALLS GAS COMPANY

On motion of **Mr. Street**, the Bill to authorize the Niagara Gas Company to extend their works for the purpose of lighting the town of Clifton was read a third time and passed.

## BRITISH SUBJECTS ABROAD

**Mr. Stephenson** moved for correspondence as to the status, etc., abroad of British subjects materialized in any of the provinces of the Dominion. Carried.

## THE "GAZETTE DE SOREL"

**Mr. McCarthy** moved an address for statement of all accounts rendered to the Government by the proprietor of the "Gazette de Sorel," and the amount paid. Carried.

## ARMS FROM IMPERIAL GOVERNMENT

**Mr. Masson (Terrebonne)** moved for returns as to the arms, accoutrements, etc., purchased by the Government of the late Province of Canada from the Imperial Government. Carried.

## COURT OF APPEAL

In reply to **Mr. Blake**,

**Sir John A. Macdonald** said it was not the intention of the Government during the present session to establish a Court of Appeal in the terms of the Union Act. The subject was of great importance—of such importance as to induce the Government to postpone the introduction of the measure until the matter could be considered in all its bearings; and there were so many matters of pressing necessity now before the Government, that this had not yet received the attention which would warrant them in dealing with it. The Government would take it into consideration during recess, and he hoped to have a satisfactory measure next session.

**Mr. Blake**—I understand the honourable gentleman to announce that it is the policy of the Government to establish such a Court.

**Sir John A. Macdonald**—Yes, certainly.

## RAILWAY AND CANAL TRAFFIC

On motion of **Mr. Macfarlane**—The Bill for the better regulation of the traffic on railways and canals was read a second time and referred to the Standing Committee on Railways.

## COUNTY LIMITS

On motion of **Mr. Godin**—the Bill to change the limits of the Counties of Joliette and Berthier for electoral purposes, was read a second time and referred to a Select Committee.

## THE ACT RESPECTING THE STATUTES

On motion of **Mr. Mills**—The Bill to amend an Act of the present session instituted, an Act respecting the Statutes of Canada, by correcting a clerical error in the same, was read a second time.

## INTERCOLONIAL RAILROAD SURVEY

**Mr. Mackenzie**, before the orders of the day were called, wished to inquire whether it was the intention of the Government to bring down any further information with regard to the survey of the Intercolonial Railroad. He understood the Engineer-in-Chief was in the city, and he thought this House should be put in possession of whatever information could be given as early as possible, as some members might desire, before the session ended, to express an opinion on it.

**Sir J. A. Macdonald** said he would answer the question to-morrow.

## FINANCIAL STATEMENT

**Hon. Mr. Rose** announced that he would proceed to make his financial statement at three o'clock to-morrow.

## RIVER SYDENHAM NAVIGATION

The House resumed the adjournment debate on **Mr. Mill's** motion for the second reading of the Bill to facilitate the removal of obstructions to the navigation of the River Sydenham.

**Hon. Mr. McDougall** said he did not think this Bill would accomplish its object. The Government would support the motion which he understood the member for Kent (**Mr. Stephenson**) was to move—the six month's hoist.

**Mr. Mills** said this announcement was very extraordinary after the Minister of Justice had informed the House that the Bill should have a second reading and go to a Special Committee. The object of the Bill was to open the navigation of the River Sydenham by a single process. He did not think if Government undertake to remove the obstruction they could do it for five times the value of the timber obstructing the stream.

**Mr. Stephenson** repeated what he had said in the previous debate that those interested in the navigation of the Sydenham were opposed to the Bill, and read some letters to that effect.

**Mr. John A. Macdonald** said he had entered into a sort of agreement to have the Bill referred to a Special Committee. He had opposed the principle of the Bill and should not have made such an agreement, but hoped as he had done so, the member for Kent would allow him to carry it out, and would withdraw his motion for the six month's hoist. If the Bill, when it came back from Committee, did not satisfy him, he could move the hoist at another stage.

**Mr. Stephenson** said he was disposed to pay due direction to the Minister of Justice, but he felt he would not be doing his duty to his constituents if he withdrew his motion.

**Mr. Mackenzie**—There was no question as to the existence of the nuisance, and any Bill which had for its object the removal of obstructions from a navigable stream, the navigation of which was becoming almost impossible, ought to receive the careful attention of the House. This Bill deserved at all events to be considered by a Special Committee.

**Mr. Blake** hoped the Minister of Justice would appeal to his supporters to assist him in voting down the motion for the hoist.

**Hon. Mr. McDougall** said he was not present when the leader of the Government had made the statement referred to. He hoped the member for Kent would not press the amendment.

**Mr. Johnson** hoped he would. There were rights of property which should be held sacred, that were encroached upon by this Bill.

**Mr. Stephenson** then agreed to withdraw the motion for a six month's hoist.

The Bill was read a second time and referred to the Special Committee.

### INDEMNITY OF MEMBERS

**Mr. Chamberlin** moved the second reading of the Bill to amend the Act of the present session relating to the indemnity of members. He said the principle on which he had framed this Bill was that he considered the payments should be not a payment for their services, but an indemnity for their expenses at the Seat of Government. The present system was not based on any principle. The amount did not pay members for their services, and at the same time was more than their reasonable expenses, so that a portion of the public money was frittered away without any just reason or excuse. The American system was

to pay members salaries and the members of Congress received \$5,000. If the members here were to be paid salaries proportional to their services, they should be fixed at \$3,000 or \$4,000; but they were merely to receive indemnity for their expenses, \$5 a day, or \$450 a session should be sufficient. He thought when they were carrying out retrenchment and economy they had now a favourable opportunity of giving an example of economy in their own persons. Members of municipal councils received nothing for their services (cries of yes), Justices of the Peace took no pay for their services (cries of yes). He spoke only for the Province of Quebec and as to that Province he was literally correct. The members of the Ontario Legislature had fixed their indemnity at \$5 a day. The members of the Quebec Legislature received precisely what he fixed in this Bill. In the Local Legislatures of Nova Scotia and New Brunswick the indemnity was \$4 a day. Were the members of this House prepared to go before their constituents and have it constantly dunned in their ears that the members elected by the same constituencies to the Local Legislatures to discharge functions quite as important, voted themselves a less amount of indemnity? The amount of difference to each member was trifling, but in the aggregate it amounted to a saving of the large sum of \$38,000 per annum.

**Mr. Johnson** said, in determining this question of indemnity, it should be considered that one man's expenses were greater than another; because one man's position in society differed from another's. Some honourable members thought that such speeches as had just been made were very fine to the country, but he (Mr. Johnson) had had eighteen years public experience, and he could tell the honourable member that this sort of thing did not go down with the public. They were quite willing to give a fair indemnity to those who served them in Parliament.

### After recess,

**Mr. Jackson** showed that frequent attempts had been made in past sessions to abolish the indemnity to members. In moving an amendment just now to abolish the indemnity to members, he was perfectly sincere. The members would have more self-respect, the public confidence in them would be increased, and the public purse would be made heavier were honourable gentlemen to act the part of foregoing this indemnity. A good deal had been said in that House about the desirability

of economy and the employees of the House had been pretty tightly squeezed in order to contribute to that end. Here now the House had a fair opportunity of effecting a saving really worthy the name. If the amendment he was about to propose was carried, then a saving of \$276,143 yearly would be effected. His amendment to the Bill introduced by the member for Missisquoi proposed to strike out all after the word "Dominion," in the second line of the preamble, and substitute therefor certain sections providing that the indemnity to members be abolished.

**Mr. Chamberlin** objected to that part in the form of amendment to the Bill. The amendment was out of order.

The Speaker sustained the objection.

**Mr. Jackson** then altered the form of his amendment; instead of asking a substitute for the Bill, he moved a resolution in amendment that the Bill do not pass, but that it be resolved in so many words that the indemnity to members be abolished.

**Mr. Chamberlin**, while admitting that the resolution of the member for Grey was better than his (Mr. Chamberlin's), if it could be carried, yet, as it was well known, there was no probability of such a measure passing the House, it looked very much as if the honourable gentleman wanted to kill off the Bill.

**Mr. Jones** thought the honourable member for Missisquoi ought to be the last to impute motives.

**Mr. Walsh** said that the opinion of the country was that there should be a proper degree of economy shown in commencing their Parliamentary proceedings as a Dominion. But he did not think it reasonable to abolish the indemnity altogether, and would, therefore, only vote for the Bill of the member for Missisquoi.

**Sir John A. Macdonald** said he would vote against both motions. In the first place by adopting either they would be undoing what they had already deliberately enacted that session, would be showing a want of stability and confidence in themselves which would necessarily lead the public to distrust. There was no reason or sense in discrediting their own legislation in the way here proposed, while in England, at this moment, every representative of the people had a right to ask for his wages. The real question seemed to him to be, was the allowance excessive or not? He replied that it was not, and he

[Mr. Jackson (Grey South).]

believed fully that was the opinion of the country. The inhabitants of the Dominion never desired to remunerate their representatives by paying their expenses for board and washing. They undoubtedly ought to have such an allowance as would enable them to hold that social position to which they were entitled, and which it was desirable that they should occupy.

**Mr. Jackson's** amendment was lost without a division.

The original motion being put,

**Mr. Chamberlin** replied to the leader of the Government. He (Mr. Chamberlin) upheld the doctrine that the system of wages had a most vicious tendency in the administration of public affairs, and in his opinion honourable gentlemen would occupy a far better position before the country if the action he proposed were taken.

**Mr. Pope** said that in his section there had never been a word said against the indemnity to members.

**Sir John A. Macdonald** moved the one month's hoist.

Yeas, 83; nays, 47.

**Yeas**—Messrs. Anglin, Archambault, Ault, Bellerose, Bertrand, Brousseau, Burpee, Cameron (Inverness), Caron, Cartier, Cayley, Coffin, Colby, Connell, Costigan, Crawford (Brockville), Crawford (Leeds), Croke, Currier, Daoust, Dobbie, Dorion, Dufresne, Ferris, Fisher, Forbes, Gaucher, Gibbs, Godin, Grover, Heath, Howland, Huot, Johnson, Jones (Leeds and Grenville), Keeler, Kempt, Langevin, Lapum, Lawson, Little, Macdonald, Sir J. A. (Kingston), McDonald (Antigonish), McDonald (Lunenburg), Mackenzie, Masson (Soulanges), McCarthy, McDougall, McKeagney, McMillan (Vaudreuil), McMonies, Metcalf, Mills, Morison (Victoria O.), Morrison (Niagara), Merritt, Oliver, Paquet, Parker, Perry, Pope, Rankin, Ray, Robitaille, Rose, Ross (Victoria, N.S.), Ryan, Rymal, Simard, Sproat, Street, Sylvain, Thompson (Ontario), Tilley, Tremblay, Wallace, Webb, Wells, White and Wright—83.

**Nays**—Messrs. Abbott, Beaty, Benoit, Blake, Bodwell, Bolton, Bowman, Bown, Caldwell, Cameron (Huron), Carling, Casault, Chamberlin, Cheval, Cimon, Coupal, Gaudet, Gendron, Grant, Holton, Irvine, Jackson, Kierzkowski, Langlois, McDonald (Middlesex), Macfarlane, McGill, Masson (Terrebonne), McConkey, Morris, Munro,

Pinsonneault, Pouliot, Poser, Redford, Renaud, Scatcherd, Shanly, Snider, Stephenson, Stirton, Thompson (Haldimand), Walsh, Whitehead, Workman and Young—47.

**Hon. Mr. Rose** moved the third reading of the Bill to enable banks in any part of Canada to use notes of the Dominion instead of issuing notes of their own.

**Mr. Morris**, seconded by **Mr. Gibbs**, moved in amendment that the Bill be not read a third time, but be recommitted with instructions to add thereto the following clause:—"In any case where an incorporated bank, trading in more than one Province of the Dominion is bound by Act of incorporation or otherwise, to furnish a general statement of its assets and liabilities, that such statement shall be in detail and shall show the cash deposits at such bank, the amount bearing interest, and the amount not bearing interest, at the termination of each month; and also all the notes and bills held under discount by any such bank at the end of each such month; and that such statement form part of the return which such bank by law shall be required to make."

**Hon. Mr. Rose** hoped the honourable gentleman would not press his motion.

**Mr. Gibbs** argued that the motion was a good one; such as ought to command the support of honourable gentlemen. The information called for was such as the banks were not opposed to giving.

The House then divided on the amendment of **Mr. Morris**, which was lost—Yeas, 60; Nays, 63.

**Yeas**—Messrs. Anglin, Blake, Bodwell, Bolton, Bourassa, Bowell, Bowman, Burpee, Caldwell, Cameron (Huron), Cameron (Inverness), Casault, Chamberlin, Cheval, Connell, Coupal, Currier, Dorion, Ferris, Fisher, Forbes, Fortier, Gibbs, Holmes, Holton, Jackson, Jones (Leeds and Grenville), Kempt, Kierzkowski, Lapum, McDonald (Antigonish), McDonald (Lunenburg), Macfarlane, Mackenzie, McGill, McConkey, McLachlin, McLellan, McMonies, Mills, Morris, Morrison (Victoria), Munro, Merritt, Oliver, Paquet, Parker, Redford, Rymal, Savary, Snider, Sproat, Stirton, Street, Thompson (Haldimand), Wallace, Wells, White, Whitehead, and Young—60.

**Nays**—Messrs. Archambault, Ault, Bechard, Bellerose, Benoit, Bertrand, Blanchet, Bown, Brousseau, Carling, Caron, Cartier, Cart-

wright, Cayley, Chauveau, Cimon, Coffin, Colby, Costigan, Crawford (Brockville), Crawford (Leeds), Daoust, Dobbie, Dufresne, Dunkin, Gaucher, Gaudet, Gendron, Grant, Grover, Heath, Howland, Keeler, Langevin, Macdonald, Sir J. A., Masson (Soulanges), Masson (Terrebonne), Macdougall, McKeagney, McMillan (Vaudreuil), Perry, Pinsonneault, Pope, Pouliot, Pozer, Rankin, Ray, Renaud, Rose, Ross (Victoria), Scatcherd, Shanly, Simard, Stephenson, Sylvain, Tilley, Tremblay, Walsh, Webb, Wilson, Workman, Wright—63.

The Bill was then read a third time and passed.

### THE CURRENCY

**Hon. Mr. Rose** moved the third reading of the Bill respecting the currency.

**Mr. Bourassa** moved an amendment to make British silver coin a legal tender to the amount of \$100 instead of \$10, a British shilling being received as equivalent to 25c.

**Hon. Mr. Holton** said that when the Minister of Finance proposed in the early part of the session to impose 15 per cent on the importation of silver he promised that that would be a prelude to some grand scheme which he was to introduce in this part of the session to do away with the silver nuisance. As he had failed to do so his honourable friend from St. Jean proposed this amendment as a remedy. He (**Mr. Holton**) did not think, however, that it was based on sound principles, and he must oppose it. But he hoped the Finance Minister would even yet redeem his pledge and introduce a measure that would do away with the evil.

The amendment was lost on a division.

**Mr. Bourassa** then moved an amendment that British and American silver coin be receivable to the amount of one-fourth part of any payment of \$40 and upwards.

Lost on a division.

The Bill was then read a third time and passed.

### MARINE AND FISHERIES

On motion, Sir John's Bill for the organization of the Department of Marine and Fisheries was read a third time and passed.

### DEPARTMENT OF INLAND REVENUE

The bill for constituting the Department of Inland Revenue was read a third time and passed.

**CONSOLIDATED REVENUE FUND**

On motion of **Hon. Mr. Rose**, the resolutions respecting the Consolidated Revenue Fund, reported from Committee of the Whole, were concurred in.

**Hon. Mr. Rose** introduced a Bill founded on the same.

**DEPARTMENT OF CUSTOMS**

On motion of **Hon. Mr. Tilley**, the House went into Committee on the Bill constituting the Department of Customs—**Mr. Lawson** in the Chair.

The Committee rose and reported the Bill with amendments. The amendment was concurred in, and the Bill ordered for a third reading to-morrow.

**RAILWAY BILL**

**Sir G. E. Cartier** moved the second reading of the Bill respecting railways. The Bill, he explained, was for the most part a transcript of the Railway Clause Consolidation Act.

The Bill was read a second time and referred to the Railways Committee.

**THE CROWN AND GOVERNMENT**

**Sir John A. Macdonald** moved the second reading of the Bill for the better security of the Crown and Government. The honourable gentleman explained that under this head there was a number of Bills which he had introduced, and which, following English practice, he had made to comprehend this subject.

A separate Bill was introduced for each offence, so that any repeal of one would not cause a repeal of all.

**Mr. Blake** said, as the leader of the Government had stated, that the Bills relating to the criminal laws of the several Provinces, which was very much alike, with a view also to the recent criminal legislation in England, and as there were many measures before the House which required debate, it would be an economy of time to take these Bills very much on trust.

The Bill was read a second time, and the House went into Committee of the Whole upon it—**Mr. M. C. Cameron** in the Chair.

Most of the clauses, after some conversational discussion, were adopted.

The Committee then rose, reported progress, and obtained leave to sit again to-morrow.

**ACCESSORIES AND ABETTORS**

On motion of **Sir J. A. Macdonald**—Bill respecting accessories to abettors of indictable offences was read a second time and referred to Committee of the Whole—**Mr. M. C. Cameron** in the Chair.

The Committee rose, reported the Bill with an amendment.

The amendment was read and concurred in, and the Bill was ordered for a third reading to-morrow.

**BRITISH COPYRIGHT BOOKS**

**Hon. Mr. Tilley** moved the House into Committee to consider the following resolution:—That it is expedient to authorize the Governor-in-Council to fix the rates of duty on foreign reprints of British Copyright Books imported into Canada, and with regard to which notice has been given to the Commissioners of Customs as required by the Imperial Act in that behalf 10 and 11 Vic., Chap. 95, such duty not to exceed 20 per cent *ad valorem*, and to be paid over to the parties beneficially interested in the copyright—**Colonel Gray** in the Chair.

The resolution was carried, and the amendment was read a first and second time. A Bill was introduced and ordered for a second reading to-morrow.

**OFFICERS MENTIONED IN PENITENTIARY ACT**

On motion of **Sir John A. Macdonald**, the House resolved itself into Committee of the Whole to take into consideration a resolution relating to the salaries of officers mentioned in the Penitentiary Act—**Colonel Gray** in the Chair.

The Committee rose and reported the resolution without amendments. The resolution was read a first and second time, and ordered to be referred to Committee having the Penitentiary Act in charge.

**FISHERIES**

**Sir John A. Macdonald** introduced a Bill for the regulation of the fisheries. Ordered for a second reading to-morrow.

## SECRETARY OF STATE

**Hon. Mr. Langevin** moved the first reading of the amendment made in the Senate to the Bill respecting the office of Secretary of State of the administration of Indian and Ordnance lands amendment.

Read a first and second time.

**Sir John A. Macdonald** gave notice that on Wednesday next he would introduce a Bill to indemnify certain persons named therein, having seats in the House of Commons while holding office under the Crown.

The House adjourned at 20 minutes to 1 o'clock.

## NOTICES

**Dr. Grant** gave notice of amendment to Militia Bill, providing for the establishment of a medical department presided over by a Surgeon-General, ranking as Lieutenant-Colonel.

**Mr. Shanly**—Inquiry whether any report has been made by the Privy Council in the last despatch of the Duke of Buckingham to His Excellency relative to the unsatisfied claim of Geo. Ryland; also what has been the cause of delay in the payment of interest due Ryland under award of the late Chief Justice Carter.

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# HOUSE OF COMMONS

**Tuesday, April 28, 1868**

The Speaker took the Chair at three o'clock.

## ACCESSORIES AND ABETTERS

On a motion of Sir John A. Macdonald, the Bill respecting accessories to and abettors of criminal offences was read a third time and passed.

## THE ESTIMATES

A message was brought down from His Excellency, transmitting estimates of the sums required for the public service for the year ending 30th June, 1869.

The following are the estimates for the year ending June 30th, 1869, laid on the table to-day:

Civil Government .....	\$ 602,700
Administration of Justice .....	176,600
Penitentiaries .....	245,733
Legislation .....	299,143
Scientific Institutions .....	9,750
Arts, Agriculture, and Statistics ..	7,000
Immigration and Quarantine .....	36,805
Militia and Gun-Boats .....	1,041,607
Pensions .....	1,452
New Militia Pensions .....	17,225
Railways (all of them being in Maritime Provinces) and Intercolonial Survey .....	1,850,000
Canals .....	223,000
Parliament and Departmental Buildings .....	100,000
Rideau Hall .....	107,000
Public Buildings Generally .....	25,000
Harbour Piers and Light-houses ..	120,000
Other Public Works .....	140,500
Ocean and Steam River Service ..	129,600
Light-houses and Coast Service ..	204,622
Marine Hospitals .....	37,000
Fisheries .....	36,800
Culling Timber .....	75,000
Railway and Steamboat Inspection Expenses Seignorial Commission ..	11,550
Indian annuities, etc. ....	6,000
Miscellaneous including .....	8,400
Unforseen Expenses, etc. ....	100,000
Expenses connected with Confederation and Imperial Legislation thereon .....	93,912
	211,312

Collection of Revenue Customs ..	488,261
Commutation and Remission Duties on Imports for the use of Army and Navy .....	75,000
Inland Revenue .....	158,550
Post Office .....	751,000
Public Works, Ontario and Quebec ..	329,695
Public Works, Nova Scotia .....	240,000
Public Works, New Brunswick ....	215,000
Collection of Minor Revenues ....	12,000

Total .....\$ 7,901,855

The detailed estimates are just laid on the table.

Expenditure authorized by Special Acts .....\$10,059,057

The following are the principal items of Public Debt:—

### IN LONDON

Interest on Public Debt, Ontario and Quebec .....	3,132,607
Nova Scotia .....	284,910
New Brunswick .....	303,629
Interest on Current Account .....	25,000

### IN CANADA

Interest on Public Debt .....	219,250
Interest on Dominion Stock .....	126,000
Interest on floating debt Bank of Montreal .....	105,000
In Nova Scotia, interest on Public Debt .....	88,800
Do. on Savings Bank .....	23,000
In New Brunswick, interest on Public Debt .....	11,766
Do. Savings' Bank .....	43,000
Charges of Management, Commission to Financial Agents .....	37,212
Do. on Investment for Sinking Fund ..	2,477
Advertising, telegrams, postage, and Bill Stamps .....	3,675
Cost of Provincial Notes .....	5,000
Allowance to Bank of Montreal on average of notes withdrawn from circulation .....	156,541
Percentage on Provincial Notes Circulated .....	50,000
Bank of Montreal for initiating Provincial Notes .....	1,250

Salaries of Provincial Note Commissioners .....	2,400
Savings Bank, Nova Scotia .....	2,240
Savings Banks, N.B. Commission to Savings Bank Agents .....	1,000
Premium on Exchange .....	40,000
Sinking Fund .....	247,713
Redemption of Public Debt—balance of Guaranteed Loan, London Debentures to be redeemed in Canada .....	683,767
To redeem mutilated Notes, Nova Scotia .....	874,600
Civil Government salaries—His Excellency the Governor-General B.N.A. Act .....	60,000
	48,666

The other items are salaries of judges, indemnity to members, geological surveys, pensions, ocean postal subsidy, compensation to seigneurs \$186,786, and seigniorial indemnity to townships \$45,402, and subsidies to Provinces.

**Hon. Mr. Rose**, in moving that the House resolve itself into Committee of Supply said that in making his promised financial statement as the most convenient way of presenting the information which he proposed to put the House in possession of, he would state in the first place the probable result of the operations of the current year, ending 30th June, 1868. He would next state the position of the floating debt and changes in it since December last, when he made his previous financial statement. He would then say a few words of explanation of the actual position of the various Provinces towards the Dominion; he would next state the requirements for the year 1868 and 1869, and the means by which the Government proposed to meet these requirements. In the last place he would refer to the anticipated additions in future years to the burdens of the country, and the means by which they proposed to meet these additional burdens. In December last he stated that the probable expenditure for the year 1867-68, would be \$16,226,000—of which \$1,925,000 was on capital account, leaving as the anticipated ordinary expenditure of the year \$14,301,300. The estimates in detail laid before the House showed an estimated expenditure of \$17,225,019 to which had to be added supplementary estimates, \$71,000—making a total of \$17,336,019, instead of \$16,226,000 as estimated in December. There was in reality however no change of any consequence. There had to be deducted as not properly belonging to service of the year \$814,327 arrears paid on account of the

late Province of Canada, and \$205,100 expenditure, which would not take place before 1st July next, and which would be struck out from the estimates before they went through Committee. Deducting these sums would reduce the gross expenditure of this year to \$16,316,562 instead of \$16,200,000 as estimated in December. From this estimated total expenditure of \$16,316,562 falls to be deducted, for capital and redemption, \$1,863,498, also arrears of the late Province of Canada still dependent on vote of the House. He meant the first to charitable institutions, and the sums payable to the townships on account of the Seigniorial indemnity fund. These deductions left \$14,321,380 as the ordinary expenditure of the year 1867-1868. Coming to the anticipated revenue, judging from the experience of the nine months which we now had, he believed, the anticipations to be indulged in in December would be fully realized, and that there would be a fair and moderate excess beyond the surplus he then stated. The gross receipts from customs to 31st December were \$5,318,063. Judging from the receipts of January, February and March, the total customs receipts for the current year he estimated at \$9,000,000. Receipts from excise he estimated at \$2,970,000, and those from miscellaneous sources belonging to receipts of the year \$2,725,500, making a total revenue of \$14,695,500, a surplus over estimated expenditure on 30th June next of \$374,140. Of the total expenditure for which a vote was asked \$17,326,000, there had been expended to 15th April \$9,542,000, leaving to be expended between this and 30th June \$7,784,000. He did not, however, believe the expenditure would be so much. There had been purposely an over-estimate, because under the stringent provisions of the audit Act, it was impossible the Government could by any means spend more than Parliament had actually appropriated. The floating debt, he stated, in December to be \$6,911,901, including the amount then in course of remittance to the financial agents in England to meet the January interest. There were two items not included, \$100,000 to Court of Chancery, which had been deposited at that time and a balance on subsidy account to the various Provinces of \$146,759, making a floating debt in December of \$7,158,676; deducting bank balances of \$3,303,869, there was a floating debt in December of \$3,854,807. The balance due the English agents had not been reduced to \$510,503. There was due the Bank of Montreal \$2,500,000 and to the various Provinces

\$591,667. Total floating debt on the 15th of April \$3,602,299; deduct bank balances, \$1,893,523, and there was left a net floating debt of \$1,708,776, instead of \$3,854,807 as in December last. The amount due the English fiscal agents had been reduced by sale of Nova Scotia bonds to the extent of \$1,002,153; and the floating debt had also been reduced by sale of Dominion stock to the extent of \$1,600,000. He congratulated the House and country that there had been such a sensible diminution of the floating debt, and hoped before six months were over the Government would be under no obligations to the banks or the fiscal agents. The way in which the Dominion stock had been taken up by the country exhibited very gratifying features. There were 61 tenders under par, and 145 at and above par. The most gratifying feature connected with the distribution of the stock was, that it was not taken up by speculators and capitalists, but was diffused over the whole country in small sums held by trustees and executors, charitable institutions and by individuals who thus invested their small savings. It had thus the effect of giving the public at large an interest in the permanency and stability of the institution of the country. As regarded the balance of the sum which had gone in diminution of the floating debt, that raised by the sale of securities of the Dominion or of Nova Scotia bonds, sold as such, it was gratifying to know that this first financial operation of the Dominion had been very successful. With regard to the portion of the floating debt which still existed, he anticipated that it would very soon be discharged by the receipts from the various services which he had indicated in December, which could be realized gradually and without disturbance to the commercial interests of the country. Some progress had been made in the negotiations with the Great Western Railway for realizing the considerable indebtedness of that corporation. There had been, with a similar view, both legislative and executive action on the indebtedness of the Bank of Upper Canada. There was a measure now before the House which would put Government in possession of considerable sums and deposits from insurance companies. A considerable sum would be realized by the post office savings banks. The Government had so far confined themselves to establishing the post office savings banks, and until they had some practical experience of these, deferred establishing the proposed Government savings banks. He was informed that a

feeling existed to some degree in the country that the Government was taking possession of too large an amount of money, which was needed for the commerce of the country. This was not the case. He could assure the House the Government would watch anxiously and vigilantly the effect which any of their operations would have in withdrawing from the banking institutions and commercial interests of the country that capital which was needed to carry on their operations. There had been very little withdrawn as yet. Very little of the money invested in Dominion stock could be looked upon as so withdrawn, and the small savings deposited in savings banks would have lain idle and unproductive if not so invested. The insurance deposits would not be withdrawn from the commercial deposits of the country—on the contrary, the greater portion of them would come from abroad. He now came to explain the fiscal relations between the Dominion and the various Provinces. The debt of Nova Scotia on 1st July last was \$7,435,285, being \$564,715 less than the debt of eight millions with which it was entitled to enter the Union—but beyond this it was found that its obligations amounted to a very considerable sum in excess of the eight millions, being no less than \$1,292,545, making the total present debt of that Province \$9,292,545. Under the terms of the Union Act the Dominion became responsible for all the engagements of the Provinces, no matter whether they exceeded or not the amount of debt with which they entered the Union. To meet the engagements of Nova Scotia the Dominion had raised cash or otherwise provided a sum of \$3,019,628 since the first of July last. The receipts from that Province in the same time were \$1,159,288, showing excess of payments over receipts of \$661,933. (Hear, hear). He mentioned this not with any sectional object, but merely as a matter of account. The debt of New Brunswick at the time of the Union was \$5,923,422, leaving a balance of \$1,076,578, to make its quota of seven millions of debt with which it was entitled to enter the Union, but the estimated excess of its engagements beyond the seven millions which had to be provided for by the Dominion was \$792,719. It follows, therefore, that the amount altogether which the Dominion had to finance for to make good the obligation of that Province, was \$2,768,859, which had to be met in cash or at short dates, and was now in course of payment. The receipts from New Brunswick in the same time were \$760,668, which was the cash

on hand at the time of the Union, made a total of \$1,036,216 showing an excess of payment on behalf of the Province over the receipts of \$357,730. (Hear, hear.) The Dominion had thus to provide the means of meeting obligations on the part of these two Provinces to the amount of \$5,148,486. With regard to Ontario and Quebec, it was difficult for many reasons to state their precise position in regard to the debt, because the matter was now a subject of arbitration, and he had no doubt from the high character of the arbitrators that they would make a just and fair award. He paid a high compliment to the Treasurers of all the Provinces for the manner in which they had acted in harmony with the Finance Department for the adjustment of accounts. He then went on to refer to the estimates for the fiscal year 1868-'69, which had just been laid before the House. In dealing with these estimates, it was indispensably necessary to distinguish between ordinary and extraordinary expenditure. He had calculated everything which could by any possibility be included in ordinary expenditure, but beyond this there were works of a permanent character going on in various parts of the Dominion, payment for which could not be made out of current funds, but must be met by loan, and these he had put down as extraordinary expenditure, under the head of Capital Account. It would be seen by the estimates that the anticipated expenditure for 1868-'69, on ordinary account, was \$13,836,644. He proposed to add to that, but he did not propose to take a vote for it, the sum of \$154,516, making a possible total expenditure, on ordinary account, of \$14,041,161. This sum of \$154,516, for which a vote however would not be asked, represented interest on possible outlay on the Intercolonial Railroad and on fortifications. He estimated operations on Intercolonial would extend over four years, and on fortifications five years. He had, therefore, estimated a possible expenditure on these works this year running over a period of six months, say one-eighth of the total expenditure on the Intercolonial, and one-tenth on fortifications, making altogether a capital sum the interest upon which he had just mentioned. And when the House came to consider the Ways and Means he would propose that the Government should be placed in a position to provide for any possible expenditure that might become necessary. In addition to this what he termed ordinary expenditure, there would have to be met by loans on accounts of

[Mr. Rose (Huntingdon).]

public works, railways and other operations now going on, the sum of \$2,456,000. With reference to the amount of the Department, there was a portion of it for which they would not be called on to make provision, as it would be met by the sinking fund. It amounted to \$683,767. The remainder, \$874,500, would be met by seven per cent bonds, and these two items found the \$1,500,000 required for redemption. It was further estimated that there would be an expenditure on capital account for the Intercolonial Railroad on the principle he had just mentioned. The total work, he estimated, would extend over a period of four years, and the six months' operation of 1868-69 would be, on these two accounts, \$968,666. This amount of course had to be raised by loans. With regard to the rate of interest, he thought the House would feel it to be a liberal one. There was little doubt but with the Imperial guarantee they would be able to raise part of the money at four per cent, and with the addition of their own guarantee the balance might be raised at five per cent. The estimates he had just submitted, could not undoubtedly be classed as large. He was by no means disposed to underrate the public burdens. He took it that in considering this question of expenditure, it became their duty to see that they restricted the ordinary expenditure of the Dominion within as narrow limits as possible. There must be no waste of the public money and he would now propose to state to the House that there were certain expenditures which it was impossible to reduce, such for instance as the interest on the public debt, the subsidies payable to the various Provinces, the seigniorial payments, accounts payable to the Indian fund, sum necessary for the post office and steamship service under contract, and for the maintenance of public works. All these were incapable of reduction and formed a total of 7 per cent of this whole expenditure. He would now mention items, with regard to which it was the desire of the Government to see whether it was not possible to reduce them. These included the expenditure for civil Government, for the administration of Justice, for the legislation of the House, Militia, Public Works, Customs and Excise, Miscellaneous, Immigration and Fisheries, involving an amount equal to 30 per cent of their whole expenditure. And with regard to these items, the Government had not been remiss in their efforts to reduce them as rapidly as possible, consistent with the due efficiency

of the public service. As a sample of what had been done by the Government in this direction he would mention the audit measure introduced last session, which he believed a truly important measure—one which provided that every shilling of the public moneys voted and not spent, on July 1st, should be put back into the Treasury, to be obtainable from thence only by a new vote. Then the new Civil Service Bill was also a step in the same direction, and so was the Bill with reference to Contingencies. Compared with the estimates of 1867-68, it would be seen that there was a considerable reduction this year. The Government thought they could see their way clearly to a reduction of between \$30,000 and \$40,000 under the provisions of the two Bills last mentioned. He now came to indicate the sources from which he proposed to derive revenue, and the principles which had guided the Government in the matter. Before proceeding further he desired to appeal to the forbearance and patriotism of members representing the various localities, he appealed to them not to ask at the hands of the Government, at the present time, appropriations for new works. Clearly it was of the best importance to the credit of the Dominion that they should not start with anything like a deficiency, but that their income should be more than sufficient to meet their expenditure. Another reason which the Government could not lose sight of in framing their taxation in the manner in which he was about to indicate was, that the duty of the present hour was the consolidation of the Union not to impose any burdens which were not pressing necessary. They felt that every new tax was liable to be misrepresented and misunderstood, and as there were some portions of the Dominion not yet entirely reconciled to Union, he believed the policy which he had alluded to would commend itself to the country generally. This Government had also to bear in mind their position with relation to the United States. The Ministry were not insensible to the trying circumstances in which the country had been placed in consequence of the repeal of the Reciprocity Treaty and the unwise restrictive legislation adopted by the Americans. The Government could not lose sight of the fact that many of the great products of the Provinces had been prohibited from United States markets, and that in consequence the coal trade of Nova Scotia was languishing, men working but two or three days a week. The lumberers of this country too, had been almost prohibit-

ed by a high tariff from entering the American markets. Provincial grains and fisheries shared the same fate. All these considerations had been borne in mind by the Government; but they felt that anything like a retaliatory or restrictive policy at the present moment would not be conducive to the best interests of the country. (Hear, hear). The honourable gentleman alluded next to the recent removal of one of the great obstacles to a free intercourse between the Dominion and the United States, he meant the almost entire sweeping away of all the taxes on internal manufacture in the States. That indicated a desire on the part of the people of the United States to adopt a more liberal policy. Besides, the feeling of Congress appeared to be undergoing a change in favour of a renewal of reciprocity and the information that that body had caused to be procured and laid before them still further showed them the folly of the abolition of that treaty and the benefit flowing from unrestrained intercourse with the provinces. It was a matter of fact that the great gas interests in Boston, New York and the Atlantic cities were clamorous for a repeal of the duty on coal; and other large interests were also lamenting the pressure occasioned by the restrictive policy in force. The honourable gentleman went on to show that the exclusion of the products of Canada from United States markets had not been an unmitigated evil, inasmuch as in consequence of it the people of the provinces had been forced into other and more remunerative markets. One of these was the West Indies, and he believed firmly, as he stood there, that the splendid trade of that section might be grasped by the people of this country. The total trade of that section with the United States had reached \$34,400,000, and this trade consisted mainly of articles which the provinces produced and had for export. Without trespassing further on the time and attention of the House to explain the motives and policy of the Government, he would add that their desire was to make as few changes as possible, and that these should be in the direction of conciliating their friends in the Maritime Provinces, and also that they should not be such as further to restrict intercourse with the United States. He then referred to the tariff changes. He said Government intended to take the duty off flour, meal grain, corn and bread stuffs of all kinds. (Hear, hear). Also to take off tonnage dues for lighthouse purposes, and make a change in the duty on molasses in the shape of a reduction, and to

revive sugar duties, a class with which there was great difficulty in dealing, especially to meet the views of importers and refiners. Between these two arose great interest of encouraging direct trade with the West Indies. One of the great objections to the present tariff, was the inequality of its operation. It was a purely specific rate graduated according to a certain scale as near as possible to the English standard. In England, however, there were only four or five ports at which sugar was imported, and with experienced men at these, there was little difficulty in having the rate of duty collected exactly according to the number and quality of the sugar. The operation of specific duty there was comparatively easy, but the case was very different with the number of ports in the Dominion. Government, therefore, having due regard for the interest of consumer and purpose of revenue, came to the conclusion to recommend mixed *ad valorem*, and specific rate, viz., 25 per cent *ad valorem*, and 1 per cent per pound on all sugar above number 9 Dutch standard and 25 *ad valorem*, and  $\frac{3}{4}$  of a cent per pound on sugars below No. 9 D.S. They also proposed to reduce molasses to 24 per cent *ad valorem*—Melado, 25 *ad valorem*, and  $\frac{3}{8}$  of a cent specific duty on molasses for refining purposes, would remain as at present. The duty on which was to be 20 per cent, *ad valorem* and 10 cents per gallon, whether in bottle or wood; also 10 per cent *ad valorem* on beer and porter, in addition to specific duties now collected, and 5 per cent on some articles of iron. A small export duty would be imposed on pine logs and shingle boards. On animals there would be a specific duty instead of *ad valorem* as at present, there would be \$15 on horses, \$10 on cattle, \$2 on swine, and \$1 on sheep. It is also proposed in the way of excise to impose a small additional rate on spirits equivalent to remission on corn. It is also proposed to place excise duty of 5 cents per barrel on refined petroleum, all of which would be subjected to inspection. Instead of permitting articles such as tea, coffee, wine, etc., to be imported free for the use of Her Majesty's troops, an equivalent money payment was provided for in the estimates, considerable difficulty and abuse having arisen from this cause. And went on to say the condition of the trade of the country was a subject upon which Government had bestowed much consideration, in estimating the probable revenue for 1868-69, and the conclusion at which they came was that it would not be safe to calculate upon a larger revenue than during the

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past year. The estimated revenue was—from customs, \$9,100,000; excise, including duty on petroleum, \$3,540,000; miscellaneous, \$2,500,000; total revenue, \$15,140,000, against a total estimated ordinary expenditure of \$14,042,161, showing a surplus of \$1,071,839. He did not consider this an over-estimate. If the country enjoyed average prosperity, he had no reason to doubt that this amount of revenue would fall short. He had used the term "ordinary expenditure as distinguished from "extraordinary". Under extraordinary expenditure he included the sum of \$348,700 to be spent in Ontario and Quebec; Nova Scotia railways, lighthouses, etc., \$690,000; New Brunswick railways, lighthouses, etc., \$1,237,000; Intercolonial Railway, \$180,300—making a total to the capital account of \$2,456,000, to which might be added two sums on account of redemption of public debt, amounting to \$1,618,267. This was exclusive of fortifications. The honourable gentleman then went on to speak of the effect of the proposed changes in the tariff on the revenue.

#### After recess,

Hon. Mr. Rose resumed. He said he felt his work would be only half performed if he did not say a few words with reference to the future he had indicated, and the state of their existing obligations. The necessity for constructing the Intercolonial Railway was acknowledged on all hands. Without it there could have been no Union, and therefore regarding that expenditure no observation would be necessary, and in considering their relations with other countries much needed not to be said as to the duty of taking their fair share towards the defence of the Dominion, and doing that without which all their expenditure for militia purposes would have been rendered useless. He would therefore proceed at once to state the extreme limit of the annual charge for the Intercolonial Railroad and for fortifications. The gross amount of outlay for the Intercolonial Railway, for fortifications and for the sinking fund would be for the first year, \$309,033; the second year it might be assumed at \$618,066; third year, \$927,100; fourth year, \$1,236,133; fifth year, \$1,289,666. This last year the maximum annual charge both for interest and sinking fund had been reached, there would be provided a sinking fund of 1 per cent to provide repayment of the debt in a given number of years, and in 38 or 41 years,

according as the sinking fund was invested at 5 or 6 per cent, the debt would be extinguished. To show that without further undue pressure on the resources of the country, the required amount could be raised. The honourable gentleman referred to the past history of the Provinces, showing that for eight or ten years past there had been a steady increase of the Provinces in population and wealth. During the last nine years the importance of Canada proper increased upwards of 81 per cent, exports 94 per cent; and a similarly cheering progress, though not to such a great extent, had been made by the Maritime Provinces in the period. There was no reason to doubt this progressive increase would obtain in the future as in the past. In the exports of agricultural products, of the products of the forest, of animals and their products, and of manufactures, there had been a corresponding large increase, showing very large expansion of the productive powers of the country. Then, too, the means of carrying the foreign trade of the country had largely increased, inward and outward tonnage having increased to an enormous extent. He gave detailed figures to show the increase that had taken place under these heads, and also the increase of population in the several Provinces together with increase in commercial progress and wealth as shown by expansion of banking capital employed in the country, and amount deposited in banking institutions, all of which afforded evidence of the steady and gratifying progress of the country, and a cheering indication of a prosperous future before us. If we worked together in harmony, if we cemented this Union, if we developed the resources of all the Provinces, there could be no doubt as to what was in store for us in the future. He was not an enthusiast, but he could say that with our vast resources remaining to be developed, and with a hardy, thrifty and energetic population, no more certain prospect was ever enjoyed by any country, if we only did our duty. (Hear, hear). He did not allude to these satisfactory features of our position in order to offer any encouragement to extravagant expenditure. On the contrary, he thought whatever Government might be in power, the people would demand a careful and economical administration of public affairs. He thought the present Government could not fairly be accused of any other than a desire to confine expenditure within the smallest

possible limits, and to promote by every means in its power the public wealth. (Hear). He then referred to statements often made respecting the load of debt this country had to support, and pointed out that the people of New Zealand had \$6 per head; Queensland \$4.97; New South Wales, \$3.21; Victoria, \$2.88; South Australia, \$2.16; Tasmania, \$1.51; while in Canada it was only \$1.12½. He also compared the amount of taxation here and in New York State, arguing that figures elicited by the Finance Committee of the Albany Convention, that State's taxation there was \$45 a year per head as against \$5 in Canada, and proportion of national debt, \$158 as against \$28 in Canada. The honourable gentleman concluded by an appeal to Nova Scotia members. The policy of the Government had been framed with a view to remove any injustice that Province may have suffered, and he trusted that policy would convince them that their interests would be regarded and that their voice and their remonstrances would be heard in that House. In the last words of one who had passed from them, they would shape their policy with the view to conquer them with kindness. (Cheers).

**Mr. Connell** said he was satisfied the policy announced by the Minister of Finance would have the support of the House and would commend itself to the people of the Dominion. He called attention to the item in the estimates for departmental salaries and contingencies and to the fact that particular salaries were not mentioned.

**Hon. Mr. Rose** said the estimate for that item was based upon existing salaries which had all been given in the last estimates. He had brought down the item in this way to enable Government to effect reductions. The estimate for this item last year was \$580,533, but on account of the reductions lately made in the contingent expenses he would only ask a vote of \$550,000.

**Sir G. E. Cartier** then at some length repeated in French the main features of the statement of the Minister of Finance.

**Hon. Mr. Holton** made some general remarks on the statement submitted by the Finance Minister. The honourable gentleman claimed that there would be a surplus at the end of the financial years 1867-68, but it was evident from his explanations that he had

increased the funded debt more than he had decreased the unfunded debt. This increase had gone to meet the ordinary expenses of country, and therefore the surplus on which he congratulated the House could have no real existence. Referring to the remarks of the Finance Minister about the indebtedness of the several provinces, he could not understand how the representatives of Nova Scotia who took part in framing the Union Act could have been so utterly out of their reckoning as the statement of the Finance Minister to-night showed that they had been. It appeared that the debt of Nova Scotia was already largely in excess of what she was permitted to take into the Union, and this excess must go in abatement of her subsidy and diminish pro rata her resources for the ordinary purposes of Government. The same was true also, though not to the same extent, with reference to New Brunswick. Mr. Holton proceeded to express his regret that the Finance Minister should have adhered to the old fallacy of distinguishing between ordinary and extraordinary expenditure under cover of which for 7 or 8 years, the late Minister of Finance had left a large deficit at the end of each year's operations. The honourable gentleman had said a good deal about the advantages of establishing a West India trade. He (Mr. Holton) was in the highest degree favourable to developing our inland navigation; but he could not conceal from himself that the St. Lawrence was not the direct route. He doubted whether it was a practicable route from our inland lakes to the tropics.

#### EXCISE DUTIES

On motion of **Hon. Mr. Howland** the House resolved itself into Committee of Ways and Means, the Hon. Col. Gray in the Chair.

**Hon. Mr. Howland** then moved the adoption of the following resolutions:

1st. That it is expedient to impose an Excise Duty of three cents per gallon on all spirits manufactured in Canada, in addition to the Excise Duties now imposed thereon.

2nd. That it is expedient to impose an Excise Duty of five cents per gallon on all petroleum and coal oil manufactured in Canada.

3rd. That it is expedient to provide for the inspection of all petroleum and coal oil manufactured in or imported into Canada, and for the forfeiture of all such as may be offered for sale without having been inspected, and to impose thereon an inspection fee of

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twenty cents for each and every barrel, cask, or package so inspected.

4th. That it is expedient to provide that no person shall carry on the business of refining petroleum or coal oil without a license for which a sum of fifty dollars shall be paid; such license to be renewed annually.

5th. That the first and second of the foregoing resolutions shall take effect immediately on the passing thereof, and that the third and fourth shall take effect on and after the first day of July next.

The **Hon. Minister of Inland Revenue** briefly explained the effect of the resolutions, and the reasons which had led the Government to introduce them.

**Mr. Mackenzie** objected to several points in the resolutions. He contended that the inspection fee of 20 cents per barrel was altogether too much. The oil ought to be measured in the tanks, by which the expense would be much reduced, and the inspection could be as safely done in this way as in the barrel, as the officer could know exactly how many barrels were in a tank.

**Hon. Mr. Howland**, in reply, explained that it was not intended that the excise should apply to stock on hand; and with respect to the duty representations had been made to the Government, asking them to impose a much higher rate of excise. Some had recommended as high a rate as twenty cents per gallon, but the Government had fixed what they believed was a fair rate, seeing that it was not intended to change the import duty on petroleum.

A conversational discussion then ensued between Messrs. Mackenzie and Howland.

**Hon. Mr. Holton** called attention to the fact that the day on which the first and second resolutions should take effect was not mentioned.

**Hon. Mr. Howland** thereupon struck out the word "immediately" from the said resolution and inserted instead thereof "on and from the 29th April, 1868."

**Hon. Mr. Tilley** then called the attention of the Committee to the proposed changes in the tariff, already explained by the Minister of Finance. The change in the duty on wines really admitted the cheap French wines in bottle at a lower rate than formerly, though on the whole increasing the duty on wines of all grades by thirty-five thousand dollars. He



briefly explained the changes introduced, and said that if the resolutions were now agreed to, another opportunity would be given to members to discuss the proposed changes.

**Mr. Mackenzie** protested against the imposition of an import duty on rice. It appeared to him as if the Government, having determined to abandon the duty on flour and grain, had gone over the free list to discover what other articles of food they could tax. (Laughter.) It appeared to him that some thirty thousand or forty thousand dollars could be raised in a less objectionable and offensive way.

**Hon. Mr. Tilley** explained that if the revenue could not be raised from one article it must be raised from another. He regarded the duty upon rice as not bearing upon the poorer classes, for it only entered into the consumption of those who were well-to-do. It could not be regarded as a tax upon the poor man.

**Mr. Mackenzie** protested that it was a tax on the food of the poor man, as any grocer could testify.

The several resolutions, on motion of **Hon. Mr. Tilley**, were then agreed to, considerable discussion having taken place on the transfer of the article of soap from the fifteen to the twenty-five per cent list.

**Messrs. Mackenzie, D. A. McDonald and Young**, strongly opposed the change.

**Mr. McDonald (Lunenburg)** thought it was time that the system of protecting every little petty manufacture which was started in the country, should be abandoned. They had already the example of the United States to show the pernicious effects of this system.

**Hon. Mr. Tilley** thought that the public could just as well afford to pay twenty-five per cent for fancy soap, which was not by any means a necessity, as for ginger, mace, nutmegs and pepper.

**Hon. Mr. Holton** moved that perfumed and fancy soap be struck out of the list and placed in the 15 per cent list.—Lost on division.

**Mr. McDonald (Lunenburg)** advocated a reduction on printing paper, from 15 to 5 per cent.

**Mr. Rymal** thought it deplorable that the food for the mind, as well as for the body, must be taxed. He considered a tax on papers and printing material most objectionable, as falling on the poor man most oppressively.

The discussion was continued, several members taking part.

The several resolutions providing for the changes in the tariff were finally passed.

The Committee rose and reported the excise and tariff resolutions as adopted, and asked leave to sit again to-morrow (this day).

The report was adopted, and the House adjourned at twenty minutes past two.

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# HOUSE OF COMMONS

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Wednesday, April 29, 1868

The Speaker took the Chair at 3 o'clock.

## STANDING COMMITTEE ON RAILWAYS

**Hon. Mr. Holton** moved that Mr. Blake be added to the Standing Committee on Railways; stating that the object was to have the benefit of Mr. Blake's legal knowledge in considering the clauses of the Railway Act. Carried.

## COMMITTEE ON BANKING

**Mr. Gibbs** moved to add the name of T. R. Merritt to the Committee of Banking and Commerce. Carried.

## PRIVATE BILLS COMMITTEE

**Mr. Morris** moved that Messrs. Langlois, Merritt and Cartwright be added to the Committee on Private Bills. Carried.

## QUESTIONS

After the business of routine had been disposed of, it was elicited from Ministers in reply to the understated questions, viz.:

## PARLIAMENTARY GROUNDS

**Mr. Morris**—Whether it is the intention of the Government to cause the grounds in front of the Parliament Buildings to be planted with trees during the present season?

**Hon. Mr. McDougall** said it was the intention of the Government to have the grounds around the Parliament Buildings planted, but whether with trees or shrubs was not yet determined.

## COMPOSITE SHIPS

**Hon. Mr. Chauveau**—Whether it is the intention of the Government to grant a bounty, for a limited number of years, for the construction of composite ships?

**Sir J. A. Macdonald** said it was not the intention of the Government to grant any bounty for the construction of composite ships.

## DISTRIBUTION OF THE STATUTES

**Hon. Mr. Huntington**—Whether it is the intention of the Government to furnish the statutes of Canada to Justices of the Peace throughout the Dominion?

**Sir J. A. Macdonald** said the enactments of this session were of such importance that the Government intended to furnish each Magistrate throughout the Dominion duly qualified to act, with a copy of the Statutes of the present session. He did not mean, however, to indicate what course hereafter might be taken as to the distribution of the Statutes. They would call the attention of Parliament next session to the whole subject.

## THE SILVER NUISANCE

**Mr. Bechard**—Whether it is the intention of the Government to introduce during the present session, any measure calculated to remove the depreciated value now attached to the silver coin current in the Dominion.

**Sir J. A. Macdonald** said it was not the intention of the Government to ask any legislation this session on the value of silver coin. They hoped, however, by Administrative Acts, to relieve if not altogether to remove, what was known as the silver nuisance.

## NOVA SCOTIA SENTIMENTS

**Mr. E. M. McDonald** moved the House into Committee of the Whole to consider the following resolutions:

1. That the system of Government existing for many years previous to the year 1867, was well adapted to secure the happiness of the people, and to strengthen and perpetuate their attachment to the British Crown, while under its operation the wealth and general prosperity of the Province rapidly increased.

2. That it appears from a petition to the British Parliament signed by nearly forty thousand inhabitants of Nova Scotia, praying that the Act of Confederation should not be passed, until the people might have an opportunity to express their opinion at the polls, and also from the reports of numerous public meetings transmitted to the Colonial Office,

that the majority of the people of that Province were opposed to the passing of that Act, by which their relations with the British Government were to be changed, the autonomy of the Province destroyed, and the privilege long enjoyed of regulating their own commercial affairs and collecting and disbursing their own revenues taken away.

3. That the passing of the British North America Act by the Parliament of Great Britain, without the consent of the people of Nova Scotia, was a departure from those principles by which the authority of the Mother Country over these Colonies has been regulated for the past twenty-five years, unwise in itself, an unsafe precedent, and not justified by any existing circumstances in the local affairs of that Province.

4. That it now appears from the result of the elections held on the 18th day of September, 1867, at which the approval or disapproval of the Confederation Act was a test question, signed by fifty-two of the fifty-seven elected representatives of that Province, and from an address to the Crown unanimously passed by the Local House of Assembly at Halifax, praying that the Province should be restored to the political status enjoyed before the Act referred to was passed, and also from the more recent action of the Local Government in sending delegates to England to urge the prayer of that petition upon the Government and Legislature of Great Britain, that Nova Scotia still avows her hostility to that Act, and her earnest desire to be freed from its operation.

5. That no form of Government can be successful that does not command the confidence and approval of the people subject to its control, and to compel Nova Scotia to remain in a political connection thrust upon her without her consent, against which she now protests, and from which the vast majority of her people have asserted their determination to be free, would aggravate the discontent and political distractions now notoriously existing in that Province, would be detrimental to the best interests of the whole country, and might even imperil the peace of the Dominion.

**Mr. E. M. McDonald** said there had already been two or three Nova Scotia debates during the present session, and he did not know that anything very new could be stated as to the facts of the case. Of the resolutions, four were little more than a recall of facts that could not be denied, resting on evidence before the House or easily accessible to

members, while another stated a principle which he thought so self evident, that it could not be controverted and was hardly debatable. He did not therefore anticipate any very lengthened debate. The people of Nova Scotia protested against this Union. Her representatives were here in this Parliament of the Confederation, but they were here simply in obedience to the law, and it was surely no disgrace to them that they obeyed the laws. It had been said in another place that there was no record on the journals of this Parliament that the representatives of Nova Scotia protested against the Union. It was his desire to place such a record on the journals in order that there might be no doubt as to the circumstances under which that Province was brought into the Union. It was her desire to be restored to her former position. The exercise of power which was complained of by Nova Scotia was most arbitrary. It struck a blow at a principle which was of the utmost importance to the maintenance of free Government and which should be dear to every man here, what is Nova Scotia's case to-day may be Canada's to-morrow. The same power that legislated away the institutions of Nova Scotia without the consent of the people in 1867, might legislate Canada in the same way, in 1869. The principle, therefore, to which he asked the assent of this House was one not only of critical importance, but of the utmost practical consequence. The Union had been brought about mainly to do away with the sectional difficulties which had existed between Upper and Lower Canada. Yet now we found the same sectionalism continued and extended in the Cabinet. One seat in the Cabinet was now vacant, because a Nova Scotian possessing the confidence of the people could not be found to fill it. There was another aspect of this sectionalism. There was at this time a direct antagonism between the Dominion and the Local Government in Nova Scotia. And what was the case of Nova Scotia in this respect now, might be the case next year of Ontario, Quebec, or New Brunswick. Jealous and sectional differences might arise, which might at any moment produce this result. From considerations of this kind, he thought it was evident that the sole reason on which this Act of Confederation was sought to be justified, that it would consolidate and unite the interest of all the Provinces of British America, had not been realized in the results. The history of the Confederation so far was not calculated to give confidence as to its stability and success. It started on the 1st of July last with a debt for its population

of three and a half millions, equal to the whole debt of the United States at the end of the first six months of the late war for a population of thirty-five millions; and yet, as if that debt was not large enough, measures had already been adopted, and were in process of being adopted, which would add to this debt almost unlimited liabilities. The burden might not be very severely felt at present, but let these liabilities be incurred when pinching hard times come, and the people of Canada found that they had not realized the prosperity which was promised, they would begin to consider that it would have been well for themselves had they listened in time to the remonstrances of Nova Scotia. It had been said that if Nova Scotia were out of the Union, she would be worse off than she now is. The last three years the debt of Nova Scotia had been more than doubled. It would seem that from the time the delegates assembled in Quebec until it was finally consummated in England, the men governing that Province set themselves deliberately to ruin the Province of Nova Scotia, by bringing it into such a position of debt and embarrassment through a variety of mad schemes that it would have no alternative but to submit to Confederation. This was a gloomy picture, but if Nova Scotia were separate from the Dominion, she would at least have the liberty to manage her own debt in her own way; and her recuperative power and rapidly increasing prosperity would soon enable her to overcome any temporary difficulty. The Minister of Finance had stated that on the 30th of June next Nova Scotia would have received from the Dominion \$600,000 more than she had contributed to the Dominion Treasury. He would not inquire now if that statement was correct or not, but if it were true he would ask what advantage was Canada to gain by compelling Nova Scotia to remain in the Union? The people of Nova Scotia disliked the Union, not merely because of itself or its financial consequences, but because of the mode in which it was thrust upon them. The question was not now one of comparative advantages, but it was a question of human liberty, of political freedom, of right and wrong, on which he asked the House to express an opinion. He asked the House to consider what might be the consequence if the appeal of Nova Scotia was refused? If the delegation to England returned with an unfavourable answer, the people in some parts of the Province becoming exasperated might determine to resist the

laws of this Dominion, might determine no longer to pay its Custom duties. He said this not by way of threat but by way of warning. The non-payment of Dominion Customs was a matter which had been fully discussed through the Province. Suppose in the excited state of feeling which would be produced by want of success of the mission of the delegates this should be carried out, and suppose that in the enforcement of the laws some persons were arrested. Suppose the populace effected a rescue! Suppose the troops were called out and blood shed, what would be the state of things that would follow? Small in number as the population of Nova Scotia might be, still they numbered 350,000, the descendants of Englishmen, Irishmen and Scotchmen, who have been trained to believe and know that they had a right to control their own destinies. He said this in no spirit of disloyalty, but the House would be wonderfully blind if it refused to look at such probabilities. It should be remembered, too, that from New Brunswick and Nova Scotia there had gone forth to the United States many thousands and tens of thousands of young men who were now watching anxiously the tendency of events in their native Provinces. When these men saw their own people restrained by force of arms, driven into political connections which they despised and abhorred, and that blood had been shed in restraining them, what would be the result? not the raid of a rabble horde as in the Fenian affair, but the invasion and uprising of many thousands of the best blood of the Province. Such an expedition would only end in ruin and disaster, but it was a result which should be avoided by every means in the power of those who wished well to British interests on this continent. He had every confidence in appealing to the House to give the resolution, he had now the honour to submit, a calm and careful consideration.

**Hon. Mr. Johnson** wished to know if the honourable gentleman from Lunenburg understood what he had been talking about? Did he not know that it required the same power to undo as was required to do? and that if he wanted to repeal the Union it could be done not by this Legislature, but by the Imperial Parliament? He went on to contend that the argument of the member for Lunenburg, that because a large portion of the people of Nova Scotia opposed the Union, it should be repealed, was fallacious. It was a fact of more importance that nine-tenths of

the population of the Dominion were in favour of maintaining the Union as a means of maintaining British interests on this continent.

**Mr. Morris** said in view of the fact, that there was now a delegation from Nova Scotia, representing before the Colonial Office the views of those who were opposed to the Union, he thought it would have been a more judicious course to have refrained from placing these resolutions before the House, but as they had come before the House, it behoved the House to deal with them from a national and imperial point of view, from the stand point of the interests of British subjects on this continent. Mr. Morris proceeded to state that from all sides of the House, every disposition had always been shown to meet the views of Nova Scotia so far as that was practicable. He then appealed to Nova Scotia to rise above petty and narrow prejudices and interests, and to look rather to what were our larger interests as a portion of the British Empire, and concluded by moving the following amendment:— "That the House do not now go into Committee on said resolution, and that it be resolved that in the opinion of this House the interest of the British Empire as well as of the Dominion and of the several Provinces of which it is composed, will be promoted by the maintenance and consolidation of the existing Union, and that this House confidently trusts that a due attention to the interests of the people of the whole Dominion and a wise and judicious course of legislation will result in a general acceptance of the Union by the inhabitants of the Dominion, and will conduce to the well being and advancement of the whole community."

**Hon. Mr. Dorion** said this amendment would have come better had it been moved after the House went into Committee of the Whole. If the House adopted it as a bar to going into Committee, it would be considered that the House had refused to entertain any consideration of what were felt to be grievances by the whole people of Nova Scotia. He hoped the member for Lanark would withdraw his motion and allow the House to go into Committee on the resolutions.

**Sir John A. Macdonald** hoped the member for Lanark would not agree to this proposition. To refuse to go into Committee on the resolution did not in the slightest degree interfere with their fullest discussion; on the other hand, to go into Committee on the resolution was to affirm that there was some-

[Mr. Johnson (Northumberland).]

thing correct in their principle. If any member thought there was a spark of principle in these resolutions which ought to be affirmed by this House, then he might vote for going into Committee on them; but if any honourable gentleman thought that the whole tendency of the resolutions was contrary to what he believed to be correct, then he would falsify his own position and his own judgment by consenting to go into Committee. The principle affirmed in these resolutions he (Sir John A.) was prepared from beginning to end to deny, and he could not stultify himself by agreeing that they should go into Committee of the Whole.

**Mr. Jones (Halifax)**, spoke in support of the original resolutions. He stated that the feeling of Nova Scotia against the Union was more intense and unanimous than it had ever previously been. He ventured to say, without fear of contradiction, that three-fourths, even of those who had voted as Unionists at the last election, would to-day rejoice if repeal could be carried. Any one travelling through Nova Scotia could not mistake the feeling of the people—could not avoid seeing that they had come to the settled conclusion that they could not remain in their present state of political existence.

**Hon. Mr. Holton** said he doubted very much the propriety of the course which the member for Lanark had taken with reference to these resolutions. The honourable member would not allow the House to consider the resolutions in detail, but asked the House to affirm something else. He did not say he would support these resolutions; although he (Mr. Holton) had thought it unwise to consummate the Union without the free consent of all the Provinces, he was not disposed now at this stage to vote that it should be repealed; but he desired the House should have an opportunity to pronounce on the fact that it was exceedingly to be regretted that this Union had been forced on the people of Nova Scotia without their consent and against their will. He desired to make the Union acceptable to the people of Nova Scotia, and he thought it would be the part of wisdom and statesmanship for this House when the question was thus forced upon them, to deal with the facts of the case fairly and dispassionately and in a spirit of condition towards Nova Scotia; to admit they had grievances to complain of, and to endeavour by every legitimate means to satisfy them that they had to look for good Government rather through the

operation of this constitution than through its repeal. But let not the House tell them that the measures adopted to revolutionize them against their will were all right. He begged to move an amendment to the amendment, the following:—

That considering the discontent which is alleged to prevail in Nova Scotia in consequence of the passage of the British North American Act of 1867, it is desirable that this House should form itself into Committee of the Whole to consider the grievances of which the people of that Province complain.

**Sir G. E. Cartier** said the resolutions of the member for Lunenburg were objectionable in several particulars. The House was asked to go into Committee to consider certain facts and matters, a great part of which they might have heard of as matters of notoriety, but of which they had not that authentic knowledge which a Parliament ought to have before arriving at any conclusion.

**Mr. E. M. McDonald** said the Government and the House were in possession of the address which had been passed by the Legislature of Nova Scotia.

**Sir G. E. Cartier** said the House was no doubt aware that the Local Parliament of Nova Scotia had passed an Address; but as to other facts set forth in these resolutions they had no knowledge—for instance, that a petition against Confederation had been signed by 40,000 inhabitants of Nova Scotia. He denied, moreover, that the Union Act was passed without the consent of the people of Nova Scotia. It was passed with their consent, as expressed by their representatives and by the Ministry of the day. He denied that submitting such a matter to a popular vote would have been in accordance with the principles of the British Constitution. If the people were not satisfied with the conduct of their representatives they should have acted in such manner as to upset the Government of the day, and to bring about a change of its policy. When the people of Nova Scotia complained of not having been properly treated, he asked them to look back twenty-eight years, and see how the Union of the two Canadas was brought about, without Lower Canada having been consulted either through vote of its people, or the voice of any Legislative body.

After the recess,

#### CANADIAN LAKE UNDERWRITERS' ASSOCIATION

**Mr. Morrison** introduced a Bill to incorporate the Canadian Lake Underwriters' Association—ordered to be referred to the Standing Committee on Banking and Commerce.

#### MERCHANTS' BANK OF CANADA

**Mr. Abbott** moved the second reading of the Bill for the amalgamation of the Commercial and Merchants' Bank—ordered for the consideration of the Committee of the Whole to-morrow.

#### BILLS FROM THE SENATE

The Speaker announced Bills from the Senate constituting the Department of Marine and Fisheries, and the Bill providing for the wife and children of the late Mr. McGee without amendment.

#### NOVA SCOTIA SENTIMENT

**Sir Geo. E. Cartier** resumed his argument against the motion of Mr. E. M. McDonald, repeating that this House could not be expected to agree to the proposition, that the people of Nova Scotia had given no consent to the Union, which had been based upon the action of their own legitimate mouthpiece, the Legislature of the Province, which it was contrary to the principles of the British constitution to ignore in favour of appeals, which no Ministerial crisis had rendered necessary, to the judgment of the constituencies. To lay down the rule that Parliament should thus abrogate its functions upon each occasion of unusual moment would be to assume as governing principles theories peculiar to pure democracy. The proposition of the honourable member for Chateauguay seemed to assert that the Imperial Government had dealt differently with the several Maritime Provinces, and evinced a consideration for Newfoundland and Prince Edward Island which had been denied to Nova Scotia. Such had not been the case. Each Province had been dealt with, and this principle was specially laid down in the Union Act, in accordance with the expressed desires of their several Legislatures. This question, however, was not one coming fitly under discussion here. If it could be contended that this House had inflicted injurious legislation upon Nova Scotia, they might properly be called upon to

consider the consequent complaints, but they could not be held responsible for the action of the Imperial Government, into which they could bring no enquiry capable of carrying redress.

**Mr. McDonald (Antigonish)** replied at considerable length, contending that this House was the proper tribunal where complaint should be made and redress obtained. The honourable member for Guysborough had once held very strong opinions of the invalidity of any Imperial statute from which the people had withheld their consent and to which they had denied their sympathies. It would not be seen how far he maintained the principles of his former speeches. It had been argued that Nova Scotia had received greater amounts than had been paid since Confederation. If so, it had only been in the matter of salaries and the creation of offices thrust upon her unwillingly. If this motion was voted down, the injustice would yet appear.

**Mr. Stewart Campbell** thought the issue should be left to the Imperial decision. This House had no power to redress the grievances of Nova Scotia. It was not a local question; its settlement would affect for weal or woe the other Provinces. The repealers of Nova Scotia were a mere party of grumblers. He said the members of Halifax had pledged themselves during the election campaign that if elected to the Commons of Canada, they would do everything in their power towards the maintenance of British interests. He wished to ask his co-representatives from Nova Scotia, if they were to give servile obedience to the wishes of their constituents, how it happened that they were here in violation of solemn resolutions requiring them not to proceed to Ottawa? The member for Antigonish had referred to the tariff. He supposed the honourable member would have been glad if no amendment had been made to the tariff. He ought to admit, however, that in making that amendment, the Government and this Legislature had given a substantial proof of their good will to Nova Scotia. The remission of tonnage dues he was sure would be received in Nova Scotia as a boon to be very gratefully accepted. He regretted very much one portion of the speech of the member for Lunenburg that the refusal of repeal would endanger the peace and destroy the loyalty of Nova Scotia. He protested against that statement as a libel on the Province of Nova Scotia. Were it not for a portion of the press of that country, he was satisfied we

[Mr. Cartier (Montreal East).]

would not have heard a tittle of the murmuring which had proceeded from that Province. If the press and the sixteen representatives here from Nova Scotia had taken a more moderate stand, and had urged the people to accept the Union, he believed there would have been little of that murmuring and excited feeling of which so much had been said. What would be the effect of repeal? There were 72 gentlemen who had been appointed Senators, and it would become necessary for the Queen to go almost on bended knees to these gentlemen, and tell them she had committed a mistake in appointing them. The Senate must be broken up, and they must go home. He denied that he had ever asserted that it was unconstitutional for the Nova Scotia House of Assembly to ask for the Union Act or for the Imperial Parliament to pass it. He did not concur in the resolution passed by the Nova Scotia House, but as to their right to pass it he never had a doubt. He then alluded to the handsome manner in which the people of this portion of the Dominion had responded to the call on behalf of the suffering fishermen of Nova Scotia. He blushed for the references which had been made to this in the press of Nova Scotia, and he must hold the gentlemen who were now pushing these resolutions responsible for the tone of these references. He referred to the last speech delivered by Mr. McGee, and regretted that the sentiments he then expressed as his last sacred legacy to his country had not found a better lodgment in the minds of the gentlemen from Nova Scotia. He proceeded then to comment on the resolutions. As to the 1st he remarked that the system of Government which had existed in Nova Scotia previous to 1867 was Responsible Government, the same as she now enjoyed. Having touched briefly on the 2nd, 3rd and 4th, he said with regard to the 5th resolution, that the leading assertion it contained, that a Government to be successful must rest on the confidence of the people, subject to it was a truism, but it must be remembered that the people subject to this Government were the people of the Dominion generally and not of Nova Scotia exclusively. In reference to another part of the resolution, he repeated that the consent of the people of Nova Scotia to the Union had been constitutionally given. He held moreover that at this moment nine-tenths of the intelligence of Nova Scotia was in favour of the Union. He believed this was the last we would hear of the repeal movement in this Legislature. It had been brought



up on this occasion by the honourable gentlemen merely to satisfy the exigencies of their position. The position taken by the repealers reminded him of a sentence illustrative of bad grammar which he had learned at school—"I will be drowned and nobody shall help me." He then referred to the two amendments—he could see no advantage to be derived from going into Committee to consider the grievances of Nova Scotia. What was the good of laying bare and exposing those grievances if no practical result was to follow? The amendment of the member for Lanark entirely met his approval. The honourable gentleman then made some remarks on the importance of maintaining the Union with a view to preserving the dignity of the empire and securing the good will and protection of the mother country which would ever prove true to those who proved loyal and true to our common sovereign and to the interests of the empire. He regretted the introduction of these resolutions as calculated to keep up an agitation which was fast dwindling in its dimensions. In proof of this he read a letter, which he stated was from a prominent gentleman in his own county, and in which the repeal agitation was declared to be a farce almost played out. He had no interest in this matter but what he believed to be the interests of his country; and after a long experience of public life he was satisfied that the public man who dealt honestly and faithfully with his people, and pursued what he was convinced was the right course, whatever might be the prevailing sentiment of the hour, was the man who would stand best with them in the long run.

**Mr. McLellan** said the member who had just spoken had read the election card which the members for Halifax had issued during the last election, to show that their anti-Union feeling was not very strong. That might possibly be the case, for even the public men who had been in the habit of mingling most with the people, were not aware how strong was the feeling of the people until they learned it during the election. The honourable gentleman had referred to the contributions from Ontario and Quebec for the distressed fishermen. He (Mr. McLellan) had expressed his thanks as warmly for that as was possible to do. The member for Lanark regretted that this question had been brought here, his regret could not be greater than that of the Nova Scotia members that there had been occasion to bring it here. He proceeded to refer to the allegations of the fact embraced in the reso-

lutions, and to the evidence of their correctness, which was in possession of the House. The fact, for example, that a petition had been presented to the British Parliament, signed by nearly 40,000 inhabitants of Nova Scotia, that the Act of Confederation should not be passed, might be verified by a reference to the journals of the Imperial Parliament, to be found in the Library. The honourable gentleman went on at some length to state the strength of the feeling of the people of Nova Scotia against the Union, and their determination, if possible to have it repealed.

**Mr. Mackenzie** said as the position taken by the Nova Scotia representatives depended very much on the soundness of their constitutional argument, he desired to address a few words to the House on that point. He had opposed in the old Canadian Parliament a direct reference to the people, first, because he believed that such a reference was not necessary under the British constitutional system, and second, because he did not believe a vote of the people could have been obtained on such a reference free from other issues. At the same time he would consider himself recreant to the duty he owed to the people, if he had attempted by his vote in Parliament to impose upon them a constitutional change that would be distasteful to them. He had no difficulty, however, on that score, for he had been fully satisfied that the people of his Province were favourable to a measure which would consolidate British interests on this continent. But the question had been submitted to the Nova Scotia Legislature in a different way from that in which it had been submitted to the Canadian Legislature. Had the resolution submitted to the Nova Scotia Legislature been submitted to the Canadian Legislature, he would have voted against it, for it gave full power to the delegates to treat with the Imperial Government in whatever way they pleased. A more loosely drawn, a more extravagant resolution it would have been scarcely possible to propose to a Legislature. The resolution, however, was adopted and the delegates from Canada and New Brunswick had no reason to suppose it had been otherwise than properly obtained. It had been alleged that it had been carried by improper means, but with that we had nothing to do. The resolutions passed in the Legislature of New Brunswick were very similar. He did not think that the argument from Nova Scotia founded on the way in which the Union had been consummated was of force now to break it up. But it was alleged as another reason for repeal that

great discontent now prevailed. So far as this discontent rested on substantial grievances he was ready to do all in his power to assist in remedying them. He was quite willing that the House should go into Committee on the resolutions. Where a certain number of people looked upon something as a grievance, they were entitled to be heard; and if the Nova Scotians could convince him in Committee that they had grievances, and that he could do anything to remedy them, he would be willing to do so. He did not wish that the gentlemen from Nova Scotia should go home and tell their people that they could find no one here to sympathize with or even to listen to their complaints. Presuming that they asked for the Committee with the intention to abide loyally by the decision of that Committee, he had no objection to allow the resolutions to go into Committee.

**Hon. Mr. Dunkin** thought the point before the House was, whether there really was any such question before them as they could properly and with advantage go into committee upon. Although at first opposed to the measure of Confederation, as it had been carried, he now would support it. Under the circumstances, he could see no use in the world of going into Committee on the question.

**Mr. D. A. McDonald** said there was one thing very evident, that the great bulk of taxation for the Dominion would be paid by the people of Ontario. So the grumbling of Nova Scotia was entirely unnecessary. The Intercolonial Railway would certainly benefit Nova Scotia more than Ontario. He believed the constitution should be made for the people and not the people for the constitution. There was no comparison between the position of Nova Scotia and Canada. It was not fair that Nova Scotia should come in with these large claims. He must oppose the resolutions.

**Mr. Forbes** supported the resolutions. He spoke against the stamp duties as being exceedingly unpopular to Nova Scotia. The people looked upon them with disgust. If he thought Confederation would benefit Nova Scotia he would gladly support it. As it was, he deemed it to be his duty to ask for repeal. He referred to the sale of the island of St. Thomas, and asked if the rights of that people were not guaranteed by the United States. For his part he did not care about purchasing the Hudson's Bay Territory; but would it answer to allow the people to be destroyed by

[Mr. Mackenzie (Lambton).]

the Indians! It might be, however, that Indians would be better treated than Nova Scotians. He went on to discuss to whom should be attributed the paternity of the Confederation, and said Sir John A. Macdonald had the credit of that with the assistance of Dr. Taché, Dr Tupper and Mr. Tilley, who, if not a Dr., was next door to it having been trained in a medical atmosphere.

**Hon. Mr. Dorion** said he had opposed Confederation, but after a majority of the people of the Province from which he hailed had decided in its favour, he had come here with the determination to place no impediment in the way of harmonious action between the different sections of the Dominion; but when the representatives of Nova Scotia declared that the Union had been forced on them against their will and complained that they laboured under a variety of grievances, he thought it only right that the House should go into Committee to consider what these grievances were and to see if means could not be devised for removing them and making the Union work more harmoniously. He thought there was good ground for complaint as to the mode in which the Union had been consummated with reference to Nova Scotia. Whatever truth there might be in the doctrine that, under ordinary circumstances, a Parliament was to be held as speaking the voice of the people, still, when a petition, signed by over 30,000 of the people of Nova Scotia was sent in protest against Confederation, that afforded good reason why the Imperial Parliament should have paused before forcing Nova Scotia into Union. That was now a matter of the past, but it was a duty now devolving on this Parliament earnestly to consider whether anything could be done to remove the causes of discontent still existing in Nova Scotia. It was their duty to see whether they could not in some way induce the Nova Scotians freely to accept the existing state of things and join the other Provinces in working for the prosperity of the Dominion. Because the people of Nova Scotia were a minority of the Dominion, that was no reason why their representations should not be listened to. There should be sufficient justice in this House to induce them fairly to consider the complaints and alleged grievances of a minority.

**Sir John A. Macdonald** said he had been unable to understand the drift of the argument of the honourable member for Hochelaga. The honourable gentleman had urged very warmly that the House should

listen to the grievances of Nova Scotia. Had not the House done so? Had not three whole weeks in the early part of the session been occupied in discussing these grievances? Had not the fullest opportunity been given to-night to every member from Nova Scotia to state their grievances, with much more advantage—the Speaker being in the Chair—than it would possibly be done in Committee? The honourable gentleman's proposition was that they should go into Committee and listen to any and every suggestion of a grievance, and perhaps they might find a remedy, and if not, what then? The honourable gentleman did not attempt to state what then. There was but one grievance alleged in these resolutions, and that was the continued connection of Nova Scotia with the rest of the Dominion. The amendment of the member for Lanark met the proposition of the promoters of these resolutions in the most respectful way, but met it fairly and squarely by saying that we could not go into Committee even to consider the question of a Repeal of the Union, but were at the same time prepared to meet the Nova Scotians in the most considerate and conciliatory way possible in order to secure the harmonious working of the Union. The member for Chateauguay then came in with his amendment indicating by a side-wind his sympathy which he did not venture to declare by his vote. It would do no good to go into Committee to consider the alleged grievances. These alleged grievances the Nova Scotians considered as so many advantages, for they were weapons with which they could fight against the Union. The member for Halifax in a previous debate had frankly declared that there were features in the tariff of the first part of the session which would be agreeable though obnoxious to Nova Scotia, for they would increase the feeling against Confederation. They wanted to be sufferers and what was the use then of examining their alleged grievances with a view to conciliation? Sir John then examined the argument against the right of a Parliament to effect an important constitutional change without an appeal to the people, and as an instance of the right of Parliament to do so, pointed to the action of the existing Imperial Parliament in carrying a measure of reform which its opponents and even John Bright himself had declared to be revolutionary, although the Parliament had not been elected with any reference to that question. He regretted that the Nova Scotian members had

brought up this matter again. Their right to do so, however, was undoubted. He went on to express the hope that the leading men of Nova Scotia, even at some risk of their popularity, would endeavour to induce their people to accept the situation to submit to the inevitable and to assist in building a future for this country of which we might all be proud. He believed there would soon be a reaction in Nova Scotia, and that the people would adopt this course.

**Hon. Mr. Huntington** replied to the attacks made by the Premier on the members for Hochelaga and Chateauguay for the course they had pursued in this debate. He said that the honourable gentleman seemed unfairly to assume that whoever opposed his views was an enemy of Confederation. This was like his old tactics when he raised the cry of disloyalty against every opponent. The honourable gentleman predicted a reaction in Nova Scotia, but was the honourable gentleman doing anything to bring about this result? What was he doing to conciliate the feelings of Nova Scotia? Everything he had done in that direction was done too late. He had urged their leading men to head a reactionary movement. If they did so, they would be broken like glass. There had been a combination of their leading men of both parties to bring about Confederation, and what had been the result? They had been rejected by the people. Mr. Huntington at some length animadverted on other points in the Premier's speech, and said that if it was really desired to soothe the excited feeling of the people of Nova Scotia, the House should agree to go into Committee to consider their grievances. If they refused, the effect in Nova Scotia, he believed would be to increase the bitterness and double the excitement now prevailing.

**Hon. Mr. Anglin** characterized the amendment of the member for Lanark as a specimen of very unfair Parliamentary tactics, and said no one except the Minister of Militia had ventured to controvert any of the statements of facts embraced in the resolutions. It was only to the fifth resolution which laid down the deduction to be drawn from these facts that any real objection had been taken. He (Mr. Anglin) was prepared to vote for the whole of these resolutions, believing them to be correct and true. Having himself accepted the situation, and being willing to give Confederation a fair trial, he felt it awkward

to vote against the amendment of the member for Lanark, but he felt it equally awkward to vote for it. He would have no hesitation, however, in voting for the amendment of the member for Chateauguay.

**Hon. Mr. Gray** spoke against the Nova Scotia position.

The House then divided on Mr. Holton's amendment, which was lost. Yeas, 39; Nays, 91.

**Yeas**—Anglin, Bodwell, Bowman, Cameron, Cheval, Coffin, Connell, Coupal, Croke, Dorion, Forbes, Fortier, Godin, Holton, Huntington, Jones (Halifax), Kierzkowski, McDonald (Glengarry), McDonald (Antigonish), McDonald (Lunenburg), Mackenzie, McKeagney, McLellan, McMonies, Mills, Oliver, Paquet, Parker, Power, Ray, Redford, Ross (Victoria, N.S.), Rymal, Savary, Stirton, Thompson (Haldimand), Wallace, Wells and Young—39.

**Nays**—Archambault, Ault, Beaty, Bellerose, Bourassa, Bertrand, Blanchet, Benoit, Brown, Burton, Caldwell, Cameron (Peel), Campbell, Caron, Cartier, Cartwright, Cayley, Chamberlin, Chauveau, Cimon, Crawford (Brockville), Crawford (Leeds), Currier, Daoust,

DeNiverville, Desaulnier, Dobbie, Drew, Dufresne, Dunkin, Fisher, Fortin, Gaucher, Gaudet, Gendron, Gibbs, Gray, Grover, Hagar, Huot, Jackson, Keeler, Kempt, Kirkpatrick, Langlois, Langevin, Lapum, Lawson, Little, Macdonald (Sir John), McDonald (Middlesex), McGill, Masson (Soulanges), Masson (Terrebonne), McConkey, McDougall, McMillan (Vaudreuil), Metcalfe, Morris, Morison (Victoria), Morrison (Niagara), Munro, Perry, Pinsonneault, Pope, Pouliot, Poser, Rankin, Renaud, Robitaille, Rose, Ross (Dundas), Ross (Prince Edward), Ryan, Scatcherd, Shanley, Simard, Simpson, Snider, Sproat, Stephenson, Sylvain, Tilley, Walsh, Webb, White, Whitehead, Wilson, Workman and Wright—91.

The House then divided on Mr. Morris' amendment, which was carried. Yeas, 110; Nays, 16.

The **Nays** were—Messrs. McKeagney, McLellan, Jones (Halifax), McDonald (Lunenburg), Dorion, McDonald (Antigonish), Forbes, Croke, Savary, Fortier, Ray, Coffin, Ross (Victoria), Cheval, Power, and Cameron (Inverness).

The House adjourned at 2 o'clock.

## HOUSE OF COMMONS

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Thursday, April 30, 1868

The Speaker took the Chair at 3 o'clock.

### LIBRARY REPORT

The Joint Committee on the Library presented a report in which they asked to be relieved of the responsibility of deciding on the assistance to be given to publications by Canadian authors, by recommending that a certain number of such publications be ordered for the Library. They recommended that the Government should assume such responsibility. They recommended also that no works in the Library be allowed to be removed from Ottawa.

### BAGOT ELECTION COMMITTEE

Mr. Walsh, from the General Committee on Elections, reported the following as the Committee appointed to try the Bagot Election—Messrs. Workman, Simard, Young, Robitaille, Joly,—Chairman.

### FORTIFICATIONS

Sir G. E. Cartier moved that the House will to-morrow resolve itself into Committee of the Whole to provide for a sum, not exceeding 1,000,000 pounds sterling to defray the expenses of constructing works of fortifications for the defence of Montreal and other cities. He stated that he would bring up the resolutions for discussion to-morrow as the first order.

Mr. Mackenzie intimated that when the resolutions were moved, he would submit an amendment to them.

The motion was agreed to.

### CUSTOMS AND EXCISE

Hon. Mr. Rose moved concurrence in the resolutions reported from the Committee of Ways and Means.

The resolutions were taken up "seriatim"—the excise resolutions first.

The first resolution adding three cents per gallon on spirits was agreed to.

On the second resolution imposing five cents per gallon on all petroleum and coal oil manufactured in Canada—

Mr. Mills thought this was an unwise imposition. At present prices petroleum only paid the cost of manufacture. Add this excise duty to the price, and it would be impossible to produce petroleum except at a loss.

The resolution was carried. Also the third and fourth. On the fifth resolution, Mr. Oliver objected to the provisions as to inspection and license coming into operation as soon as the 15th of June. He thought the 1st of July, the beginning of the financial year, would be a better date. Those who had large stocks on hand should have time to dispose of them, so as not to incur the additional cost of inspection.

Mr. Mackenzie thought two or three months should be allowed before enforcing the regulations as to inspection. With regard to stocks in hand, he hoped this would be provided for in the Bill.

The resolution was agreed to.

Then came the Customs resolutions.

The items, horses, fifteen dollars per head; horned cattle, ten dollars; swine, two dollars; sheep, one dollar;—having been moved,

Dr. Parker expressed disapproval of the specific principle, as applied to the duties levied on animals. It was not reasonable that the same fixed duty of \$15 should be levied on a horse worth \$200 and one worth \$20. The duty, he thought, should be according to the value.

Mr. Gibbs said he concurred in the remarks made the other night by the Minister of Customs, that the *ad valorem* principle was a hardship when applied to the introduction of valuable animals for the improvement of stock, for which a fancy price had been paid. The difficulty might be got over by admitting such animals free.

Sir J. A. Macdonald said it was only valuable animals that were imported. Ordinary animals were exported rather than imported.

**Hon. Mr. Holton** thought when the duties on breadstuffs had been removed those on animals should follow. Why make a distinction between bread and meat?

**Mr. Gibbs** said the taxes on cheese and butter were also continued. If there was to be a uniform principle adopted, he would prefer leaving the duty on flour at the old rate.

**Mr. D. A. McDonald** asked if we were to allow American products to come in free when the Americans shut out ours. When would we get Reciprocity? He would put the same duties on the products of the United States, as they imposed on the products of Canada.

**Mr. Jones (Leeds)** could not imagine that anything could be more detrimental to the interests of a large and influential class of our community than the policy now adopted of admitting free the coarse grains of the United States to come into competition with the products of our own farmers. There would be a feeling aroused, particularly in Ontario, such as had not been witnessed for many years. In former years our farmers depended on the United States for a market for their wheat. We were now excluded by the high duties. The only home market for farmers had been for coarse grain, and that was now to be destroyed. One inducement to Confederation in the West was that we would have a market for our wheat and flour in the Lower Provinces. This also was to be destroyed. He protested against this class legislation for the benefit of a few individuals and companies.

**Mr. Oliver** said Canada was more a producing than a consuming country, and there was no reason for protection to agricultural production. As to the question now before the Chair, Government had recognized the principle that agricultural implements imported by agricultural societies for the improvement of agriculture, should be admitted free of duty. He thought they should also admit free valuable horses, cattle and sheep, introduced for the improvement of stock.

**Hon. Mr. Dunkin** disagreed from the doctrine of the member for Glengarry that we should impose on American products the same duties as the United States imposed on Canadian products. Let the United States impose what duties they pleased, and we should impose not the same, but just such duties as we pleased—such as we found best suited to our own circumstances.

**Mr. Young** agreed with the last speaker that we should not impose high duties because the Americans did so. At the same time, we should be careful not to run to the opposite extreme. It would be an advantage to us to get reciprocity; but if we admitted American products free we would have nothing left to offer in order to secure reciprocity.

**Mr. Oliver** moved in amendment that horses, cattle, swine and sheep imported for the improvement of stock, be admitted free.

**Hon. Mr. Holton** suggested that this might be moved better as an amendment to the Bill.

**Sir J. A. Macdonald** said there was a general anxiety that the prorogation should not be needlessly delayed. He hoped there would be an understanding that all amendments should be moved and disposed of now, so that the discussion might not be renewed on the Bill.

**Hon. Mr. Rose** said there was scarcely an animal imported that would not, in some way, be brought within the description given in the amendment, and nearly all animals would thus be admitted free.

**Hon. Mr. Holton**—And why not? He would like the Government to state why they enfranchised breadstuffs and continued the tax on beef?

**Hon. Mr. Rose**—It was stated the other night.

**Hon. Mr. Holton** denied that it had been stated. It was monstrous that the House should be asked to revise part of the policy initiated two years ago, and retain part without any explanation of the reason why.

**Hon. Mr. Rose** said the Government desired to make as few changes as possible in the existing tariff. With reference to the duty on breadstuffs and grain entering into consumption in the Lower Provinces, it had been thought desirable to take it off for the reasons stated the other evening.

**Mr. Mackenzie**—Then the reduction of duty on one class of articles is merely to please one section of the Dominion? That might be a reason, but he did not think it a good reason. He supported last session the amendment to remove that tax, because he thought it was wrong to tax breadstuffs, not because he wished to favour one section of the Dominion rather than another. But it appeared that the Government removed this tax not because they had any policy on the subject, but as a

temporizing measure to satisfy the grumblings from a certain portion of the Dominion. If there was to be a duty at all on stock, perhaps it might not be desirable to exempt all animals imported for the improvement of stock. Private parties importing such animals did so with a view to profit, but where agricultural societies imported animals for the improvement of stock, he thought that they should have the benefit of exemption.

**Sir John A. Macdonald** said the reason why a duty was put on breadstuffs two years ago, was to show the United States when they withdrew reciprocity that we would assert our freedom as an independent country by putting a moderate duty on their products, although we could not follow their bad example by entering upon the absurd system of retaliation. In the first part of this session, the Government laid down the principle that whatever the tariff should be, we ought to have the same tariff all over the Dominion. This duty on breadstuffs was therefore made uniform throughout the Provinces. He knew that his honourable friend from Lambton objected to the principle of any tax on breadstuffs, but a number of the members of this House and a large class of the people entertained a different feeling. The members for Glengarry, Leeds, South Ontario, etc., had urged there should be a protective duty on breadstuffs, and no doubt the view they put was a plausible one with farmers. He believed a large portion of the people of Western Canada were in favour of protective duties, so long as the Americans retained protective duties against our products. There was a clear difference of opinion therefore as to the abstract policy of the tax; but when they learned that it had operated a peculiar hardship locally on the people of Nova Scotia and New Brunswick, and that it had brought home the alleged inconvenience and oppressiveness of the Union to every poor man's door in Nova Scotia and New Brunswick, he thought it was a wise, judicious, and liberal policy, an act of kindness and statemanship on the part of the Government to come down and remove that tax.

**Mr. Mackenzie**—That is all right. What I complain of is that you do not go far enough. The people of these Provinces use pork largely. Why then not admit swine free?

**Sir J. A. Macdonald** said the member for Chateauguay had also asked if you free breadstuffs why not free beef. The first item here was horses. He did not suppose it was

meant that horses furnished beef. (Laughter). Why not go further and say that in a climate like ours clothing is just as necessary as food, and that we must admit free beef and materials for clothes as well as bread; but the line must be drawn somewhere. We must have a duty on something. We must raise a revenue. This substitution, however, of a specific for an *ad valorem* duty was a step in the direction contended for by the member for Lambton, and when the Government had agreed to take this step in order to avoid too oppressive a duty on superior articles, he thought the House should have accepted it at once, instead of objecting that the duty was not removed altogether. As to the amendment of the member for Oxford, there was this difficulty; that with regard to every animal imported, the importer would say it was for the improvement of stock. Even Barnum would introduce his woolly horse on the principle. (Laughter). It had been suggested that, at least, blood stock introduced by agricultural societies might be exempted, but the result of this would be that any one who became a member of an agricultural society by paying a dollar subscription, might manage to get his bull or horse or ram imported under the auspices of the society.

**Hon. Mr. Holton** said the honourable gentleman had admitted that a wrong policy had been initiated in 1866, with regard to the duties on breadstuffs and other foods. Now he found himself compelled to do away with the half of this injurious policy. Why not do away with the whole?

**Mr. D. A. McDonald** said American corn would certainly come into direct competition with the coarser grains raised in Canada, and therefore to admit it duty free would be a real and serious injury to Canadian farmers. The result of such a policy, favouring the American cultivator at the expense of our own people, would be to give certain States additional attractions for agriculturists, and to draw an emigration of the very best bone and sinew of our agricultural community away from Canada to those States. He hoped that time would not be wasted in long discussion. If the yeas and nays were to be taken on every point, it would be better to go back into Committee and have the discussion there.

**Mr. Mackenzie** said he must protest against the idea that discussion was to be cut short because members were desirous now to have a speedy close of the session. He claimed the

right and so would others—(hear, hear)—of having the fullest discussion on a subject so important to the country.

**Mr. Bodwell** was clearly of opinion that American corn did come into competition with our coarse grains, and that our farmers felt that competition too. We were asked to favour the Maritime Provinces in a great many things, in almost everything in fact, and it was time that the agricultural interests of the West received some slight consideration. It was well known that while we exported live stock to a large extent, and males were not imported here from the other side unless for breeding purposes and the improvement of stock, which object should not be impeded by any duty. The duty proposed would be a mere nothing compared to an improved stock, and we wanted to import no other. He thought it bad policy to take the duty off American corn, which really came into strong competition with our own coarse grains. We were making a heavy investment mostly for the benefit of the Lower Provinces, and they ought to consider all this. Not to put duty on American hops was favouring the Americans and doing injustice to ourselves.

**Mr. Oliver** then altered his amendment so as to provide exemption merely for the importation of valuable animals, for the improvement of stock, by agricultural societies.

**Mr. Scatcherd** said the people of the Maritime Provinces, who were largely interested in the fisheries, were strongly opposed to opening the fisheries to foreign competition. They should consider that the agricultural interests of the West had as good a right as the fishery interests of the East to be consulted. They wanted protection for themselves, but would deny it to others.

**Mr. Jones (Leeds)** wished to reply to a statement by the member for South Oxford that we could not raise corn here, and that, therefore, American corn did not compete with our own production. American corn did come directly into competition with our own rye, oats and other products. The interests of two millions and a half of people in the West were to be counted as nothing compared with the interests of a little over half a million in the Lower Provinces. England had attained to her manufacturing greatness principally by long continued protection of her manufactures. When Peel conceded free trade in corn, he legislated for the majority, because there

[Mr. Mackenzie (Lambton).]

were thirteen millions who lived by manufactures, while only five millions lived by agriculture. Here the position was reversed—the millions being the agriculturists, and the minority engaged in other occupations. Peel's principle, if consistently followed here would forbid legislation for the small minority to the injury of the great majority.

**Dr. Parker** thought the argument that our farmers could not be injured by foreign competition in articles of which they had a large surplus for exportation an unsound one. The country adjoining raised corn cheaper than we could, and there was a direct competition with Canadian coarse grain, highly injurious to our farmers. We might stand some compromise of interests for the sake of Confederation, but this should not be carried too far.

**Mr. Gibbs** said we should drop the continual compromising and arrangement of interests, and try to frame a policy on broad and liberal principles. He believed the discontent existing in the Maritime Provinces had been greatly over-estimated and exaggerated. It had too much influence over the Government which had in this case been led into error through an imaginary pressure. The duties on American produce had been wisely imposed in 1866 as a consequence of the end of reciprocity. Legislation in the United States had great influence over the course of the produce trade here, and this extraneous influence and operation ought to be counteracted. No one knew the power of this influence on our trade better than did the Minister of Excise. He approved the export duties now put upon saw logs, which would show the Americans that they could not by their legislation control all our trade operations. Americans protect their own interests by discriminating against Canadian flour and wheat. On wheat they charged 20¢ per bushel, but on flour 20 per cent *ad valorem*, which was from \$1.40 to \$1.60 in gold on a barrel. They were wise enough to favour the importation of the grain, but the grinding they would do for themselves. He believed Americans had seen their folly and would now meet us with a new treaty. He repeated that discontent in the Maritime Provinces had been greatly exaggerated and his opinion was that Government had made a mistake in dropping the duty on flour "to conciliate," as was supposed. Last night they had been told by gentlemen representing the Anti-Union side that the discontent was on no question of tariff, but had another basis altogether. The Government erred in attempting to subsidize. It would do no good.



After the recess,

**Mr. Pope** said his section of country produced coarse grain largely, but they did not fear competition in this respect with the Americans. They had exported their coarse grains to a considerable extent to the United States. He thought it wise to admit corn into the country at the cheapest possible rates. The lumbering interest consumed it largely.

**Mr. White**—Where?

**Mr. Pope**—They consumed it for their horses, where they were far from agricultural settlements, in preference to oats. Free admission of corn into this country would do damage to no interest. He would not discuss this question from a regard merely to the interests of his own locality. He considered that if they were to protect flour in the interest of the West, they should protect coal in the interest of the East. But he doubted very much if we could ever get rich by protection. We should not look at these matters from a parish point of view. We should consider what was for the interest of the whole Dominion, and he believed that the larger portion of the people of Ontario and Quebec were as much interested in having grain admitted free as were the people of the Lower Provinces.

**Mr. Magill** opposed the tax of \$2 on hogs. He thought at least a drawback should be allowed on pork packed for exportation, so that an important industrial pursuit which gave employment to a good many people might not be injuriously interfered with.

**Hon. Mr. Tilley** said the Governor-in-Council had power to arrange as to this by regulations.

**Mr. Ross (Dundas)** thought the new tariff would cause a great deal more dissatisfaction than the old one. A free trade policy for this country was an absurdity. The policy in this respect of our neighbours in the United States was worthy of imitation. They were an agricultural people, but they did not, on that account, open their ports for the products of all other countries. One great argument in favour of Confederation was that we would have a compensation for the loss of Reciprocity in the market opened for our products in the Lower Provinces. But this tariff destroyed that market, and moreover flooded us with the coarse grains of the Western States. If we were to make the people believe that some gain was to be derived from Confederation, we would adopt a policy which

would enable one section of the Dominion to supply the other, so that we might all feel bound up in a common interest.

The amendment was then put and lost.

The items under the head of specific duties were agreed to, down to "Starch, 2 cents per pound."

**Hon. Mr. Holton** referred to the action with reference to starch in 1866. The then Minister of Finance at first proposed to make starch free, but in consequence of the remonstrances of the Edwardsburg Starch Factory, raised the duty to 2½ cents per pound. This was justified on the ground that a duty was put on corn. The duty on corn was now taken off, and the duty on starch was only reduced to 2 cents. Why not take it off altogether?

**Hon. Mr. Tilley** said that the duty on corn having been taken off, there was no reason why the manufacturers should have additional protection. Therefore, the half cent was taken off.

**Mr. Shanly** contended that the starch manufacturing interests had to be protected. If some encouragement was not given, the Edwardsburg factory would be closed. He asked, was it for the interest of this country that we should make no effort to maintain these industries, but should hand them all over to our neighbours?

**Mr. D. A. McDonald** said this duty gave this one factory a protection of about 25 per cent. He thought one cent a pound would be sufficient.

**Hon. Mr. Johnson** protested against the course pursued by the Government in making their followers vote one way the first part of the session, and another way the next. When they were to change their policy they ought to consult their supporters. He believed, however, they had on the whole improved the tariff by this measure. The Government in effect said to their supporters, we will devise our measure, and all you have to do is follow us. That policy might do for a session or two, but it would not last long.

**Mr. Mackenzie** said he understood the Minister of Customs to admit that the 2½ cents had been put on starch as a compensation for the 10 cents on corn. The duty on corn having been removed, the 2½ cents should be taken off also. If the manufacturer got the benefit of the 10 cents, the public should get the benefit of the 2½ cents.

**Hon. Mr. Tilley** said he had not pretended to know why  $2\frac{1}{2}$  cents had been originally imposed.

**Hon. Mr. Holton** said the leader of the Government at all events ought to know. He challenged the honourable gentleman or the leader of the Government to dispute that the  $2\frac{1}{2}$  cents was put on because of the 10 cents on corn.

**Hon. Mr. Rose** argued that the reduction of  $\frac{1}{2}$  per cent was equivalent to taking off the duty on the raw material.

**Mr. Jones (Leeds)** protested against a starch factory being protected at the expense of farmers.

The item was agreed to.

On the next item—brandy, gin, rum, whiskey, 80 cents per gallon,

**Mr. Jones (Halifax)** said one of the articles—rum—was largely increased in Nova Scotia. The duty on rum not long since in that Province had been increased from 40 to 75 cents a gallon. In the early part of this session it was raised to 80 cents. Under the increase from 40 to 75 cents, the revenue, in consequence of the encouragement given to smuggling from the West Indies, had fallen off 80 per cent. He moved in amendment that the duty be removed to 63 cents, the same as the excise duty on whiskey. This would be an advantage to the revenue in New Brunswick and Nova Scotia, and would do no harm as regarded Ontario and Quebec.

He was seconded by Mr. Anglin.

**Hon. Mr. Tilley** said the case submitted by the member for Halifax had received the careful consideration of the Government, but they had been unable to accede to his wishes. The result would be that a large portion of the spirits consumed in the Dominion would be brought from the United States in the name of rum, and a large amount of revenue would be lost. Spirits could be coloured a little, entered as rum and being admitted at 63 cents, would come into competition with the products of all the distilleries of the Dominion.

**Mr. Jones** said if the Government had been anxious to deal properly with this question, they could have got over the difficulty suggested by imposing *ad valorem* duty. He did not think there was any ground for the apprehension of the Minister of Customs that with a lower duty there would be a large

importation from the United States. On the contrary, the low duty encouraged direct trade with the West Indies. In 1865, when the duty was 40 cents, 297,000 gallons were imported into Nova Scotia, and of that quantity only 5,966 gallons came from the United States.

**Hon. Mr. Rose** recommended the Lower Province men to accustom themselves to Upper Canada rye. They would find it a superior article to the West Indies. (Laughter). He thought the true principle was to put the same duty on all classes of spirits.

**Mr. Rymal** commented humourously on the Minister of Finance's left-handed advocacy of temperance, and wished to know if the Minister of Justice concurred with his colleague in his opinion as to the superiority of Upper Canada rye. (Laughter). He understood it was incumbent on the members of a Government to be agreed on all questions.

The amendment was negatived, and the item agreed to.

The remaining items were agreed to down to the duties on sugar and molasses as follows:—Sugar equal to or above No. 9 Dutch standard, also sugar candy and confectionery 25 per cent, and 1 cent per pound. Below No. 9 Dutch standard 25 per cent  $\frac{3}{4}$ ¢ per lb; cane juice syrup, melado, and concentrated molasses 25 per cent and  $\frac{5}{8}$ ¢ per lb; molasses 25 per cent; molasses used for refining purposes, or for manufacture of sugar, 73¢ per 100 lbs.

**Hon. Mr. Tilley**, in introducing the resolution relating to the sugar duties, said that the appointment of duties on the various grades had been made with the view of meeting the requirements of the revenue, bearing as light as possible on the consumer, and keeping up a healthy competition between the various interests and the various sources of supply.

**Hon. Mr. Huntington** wished to ask the Minister of Customs if the principle of levying duties according to grades of sugar was that on which the tariff was based. The wholesale men had demanded specific duties as a protection to their trade. He thought the interests of the consumer coincided with what was the fairest of all systems, viz., duty according to value. The one profit of refiners here, on both importing and refining, would surely be lighter on the consumer than the two profits—first, of the foreign refiner, and then of our own importer. In the article of molasses a large discrimination was made

against the refiner here, whose product was not in the market by imported molasses—the former having paid a high rate of duty on sugar or molasses, while the latter came in at a lower rate of duty.

**Hon. Mr. Tilley** said the Government had acted on the principle that they would best benefit the consumer by bringing into the market as many competitions as they could from all quarters. The late scale was really an *ad valorem* scale, and favoured the refiners too much. What the Government aimed at was to secure a healthy competition between importers and refiners here. The English and continental scale they had considered could not be applied in this country. He thought it a good proof of their having steered a proper course in this matter, that both parties grumbled, and each said the other had been too much favoured. In answer to Mr. Holton, he said that the discrimination in the case of molasses was necessary, for without it the refiner would import molasses only at a low rate of duty, and would make all his sugar from molasses, which then would not pay proportionately to the revenue.

**Hon. Mr. Holton** said his question, as to what the principle was upon which two different rates were levied upon the same article, was not yet answered. There ought to be no difficulty in our adopting the consistent and intelligent principle adopted in Europe, after much research and experiment. Some definite and intelligent basis of principle ought to be acted upon.

**Hon. Mr. Rose** said that the English scale was practicable for free trade—a scale adjusted so as to leave competition between home and foreign exactly as if there was no duty at all. It was utterly impossible of application here. To insure correct grading under the late Canadian scale had not been found possible at many of the ports of entry. Much less could the English scale be applied here, owing to important differences in the circumstances of the two countries. It would not do to let molasses for refining come in at the same rate as for consumption, as the refiners would then use molasses altogether, and the revenue would suffer largely. It was for the interest of the consumer to be supplied from two sources—by the refiners here and the importers, and the double supply which insured competition was what they wished to secure.

**Hon. Mr. Huntington** thought it just possible that in making the division of profits to

insure competition between these two classes, the Government might have made a miscalculation. It appeared to him that the interests of the consumer had really coincided with the refiners' side of the question as far as discussion had gone. In apportioning the duties a distinction was made between the lowest brown sugar which was put at  $\frac{3}{4}$  of a cent—all sugar above a certain number being charged one cent. On the same principle, he thought a further distinction between the yellow sugar and the white refined was also called for. If we distinguished sugar in a rough, general way into the three leading grades of brown, yellow and white, then he thought that the same principle which had dictated a reduction of one-quarter of a cent on the brown or lowest grade demanded a rise of one-quarter of a cent on the highest grade of all. He did not profess an acquaintance with the technicalities and details of the question, but it did appear to him that the fair principle though adopted to a certain extent had not been fully carried out as it should have been.

**Hon. Mr. Howland** said that the great desideratum was to obtain the greatest amount of revenue with the least burden on the people. The Government had statistics showing actual results, and had not proceeded without full and accurate information. The honourable gentleman here entered into a comparison between the late tariff and that now proposed, giving the rates which the various grades paid under each. There were five grades of sugar under the late scale, the sixth grade being simply concentrated cane juice or "melado", as it was called. Under the old scale no. one paid \$3; under the new scale what corresponded with it would pay on loaf \$2.80, and crushed \$2.51. The different values of these two kinds gave different rates of duty—No. 2, old scale, two sixty—new scale, two thirty-three; No. 3, old scale, two twenty-five—new scale, two eighteen; No. 4, old scale, one ninety—new scale, one ninety-nine; No. 5, old scale, one sixty-eight—new scale, one sixty; Melado, old scale, 137—new scale, 119. These changes, he thought, would commend themselves as fair to all interests and favourable to the consumers. The English and Continental Tariff had been frequently referred to, but it had been considered impossible of adoption here, as was very generally agreed.

**Mr. Jones (Halifax)** wished to ask the Minister of Customs what regulations were to be observed in determining the quantity in packages interred for payment of duty.

**Hon. Mr. Tilley** said that packages would be rated at the gauged quantity at the port of entry.

**Mr. A. G. Jones** thought it right to give fair play and no more to all interests; still he had to say that the Government had adopted an extraordinary mode of arriving at the desired result which he thought was very one-sided. After all the results at the ports of Halifax and Saint John since the late tariff came into operation, there had been such as to excite universal disapproval, it being felt by all in the trade there and by the people generally that they were being unjustly dealt with for the benefit of the refining interest in Montreal; and the new tariff was no better but actually worse, as he believed, notwithstanding the flourish of trumpets about developing the West Indies trade with which it had been introduced. He knew that it would very much strengthen his position were he able to lay before the House the opinion of the mercantile community in Saint John and in Halifax, and the whole of the facts and figures which went to sustain that opinion. He was able, however to cite what would not be denied, and the force of which would be evident to the House. The Board of Trade, had recommended a specific duty of one cent per lb, and 20 per cent *ad valorem*. He wished to draw attention to the fact that the merchants of Quebec, Montreal, Kingston, London, and the other principal cities and towns, had all given the same recommendation which, therefore, embodied the opinion of the entire mercantile interest, both east and west. This was important, and ought to have some weight with the Government, which it seemed it had not had after all. He disputed the correctness of the data from which the Minister of Customs, also the Minister of Excise, had deduced the figures representing the duties payable by the various grades under the new scale. The speaker here proceeded to give the figures for each grade, from one to six, under the new scale, which differed considerably from those given by Mr. Howland. He made the assertion in all sincerity that he, as an importer of West India sugar, would greatly prefer the old tariff to the new one. He had nothing to say against the Canadian refiners, who were honest, worthy and enterprising men. He did hold, however, that the opinion of the whole mercantile community, from east to west, which had been disregarded by the Government, ought to have received proper considerations. The reduction on the specific rate of one cent

to  $\frac{3}{4}$  of a cent on the low grades, was a heavy concession to the refiners. There was another aspect of the question which he wished to present, and a most important one it was. The Finance Minister had said that he aimed at the development of a large direct trade with the West India Islands, but he (the speaker) foresaw that one of the first effects of the new scale, with its low figures, on the coarsest brown sugar and melado, would be to favour importation of the lowest grades from Manilla and the East thus diminishing the West India trade. The new scale was calculated to lessen the inducement to supply ourselves from the West Indies, and thus certainly to contract our trade with the Islands instead of increasing it, then who, he would ask, was to determine at every port whether a particular lot of sugar were not equal to number nine Dutch standard? This he ventured to say it would be found impossible to do correctly. He would go back to his argument, that it was not for the interest of the Dominion to perpetrate any monopoly which made the people pay high prices. He moved in amendment that the proposed duty on grades of sugar at and above No. 9 Dutch standard, be reduced to 75 cents per hundred pounds and 25 per cent *ad valorem*, being the same as for grades below that standard.

**Hon. Mr. Rose** said the Government could not acquiesce in the honourable gentleman's proposition. He said the Government should have followed the recommendations of the Board of Trade; but all the Boards of Trade were not of the same way of thinking. The recommendations from the Boards were very diverse in their character, and the Government being responsible for the revenue, and being bound to protect the consuming interest, did not feel required to follow absolutely the recommendations of the merchants whose own interest was to make a profit on their importations. If the Government had fixed the duty at 15 per cent and one cent a pound, there would have been a great deficiency in the revenue. His honourable friend said he would have preferred the old tariff to the present one. The honourable gentleman there let the cat out of the bag for he had been running his \$2.60 sugar in at \$2.25. His honourable friend said the effect of this tariff would be to prevent the refiner getting his supplies from the West Indies, and force him to get them from Manilla and the East Indies. If this was correct, this extension of our trade would be a decided advantage.

**Mr. A. G. Jones** replied, contending that the Minister of Finance had not met the argument he had advanced. The honourable gentlemen had represented that it was only the selfish importers who oppose the Government scheme. He (Mr. Jones) no doubt looked to his own interests as well as others, but he claimed to stand in the position of the great majority of the people of this country who desired the legislation which would bring in the largest amount of sugar from the quarters where it could be most cheaply produced, and which would create as wholesome competition, so that consumers might have it at the lowest possible rate. He had yet to learn that the refiners who were specially taken under the protecting wing of the Government had any more disinterestedness than the importing class whom the Minister of Finance wished to guard against. The honourable gentleman thought if we could get cheap sugars in the East Indies it would be for the advantage of the country to get them. He seemed to forget that if we were to have the benefits of direct trade with the West Indies, it could only be by reciprocal legislation. The honourable gentleman, in the ground he has taken on that point, swept away the whole argument which he so eloquently presented to the House the other night on the subject of encouraging trade with the West Indies.

**Hon. Mr. Tilley** asked if Mr. Jones did not state to him, some days ago, that if the Government imposed 25 per cent *ad valorem* on molasses it would be satisfactory.

**Mr. A. G. Jones**—Without casks.

**Hon. Mr. Tilley**—That was not mentioned, and the cask did not make much difference. He proceeded to give figures as to the value of molasses imported into Canada, the average of which was 22 cents. The Government had therefore come to the conclusion that the proposed duty would be about 5 cents per gallon, which was a reduction that would diminish the revenue by about \$20,000. He then gave a series of the calculations as to the difference of the rates per hundred pounds on sugar between the old and the proposed tariff and the tariff proposed by some of the Board of Trade of 20 per cent, and 1 cent a pound. The last proposition, he concluded from the figures presented, would have closed every refinery in the country, and put the whole business in the hands of the importers. The present proposed tariff would be also alike fair to the importers and consumers.

**Mr. A. G. Jones** replied to the Minister of Customs. He disputed his proposition that the scheme of the Board of Trade would have closed the refineries. These refineries were established, and had been living and making money under a protection afforded them of 10 per cent *ad valorem*, and it was trifling with the House to say they could not live under a 20 per cent *ad valorem* protection.

**Hon. Mr. Anglin** thanked the Government for their concession to the people of the Maritime Provinces in taking the duty off breadstuff. Coming to the sugar and molasses question he said he did not pretend to comprehend the calculations read by the Minister of Customs. He questioned if the honourable gentleman understood them himself, for in drawing his comparisons he had read for some time from the wrong column before discovering his mistake. (Laughter). He then proceeded at some length to contend that the true principle of levying duties on sugar was to have the same *ad valorem* and specific rates on all grades.

**Mr. Bolton** said he was in the molasses trade, and he doubted very much if the new rates were a reduction of duty. He did not look on the remission of the duties on breadstuffs as a concession so far as New Brunswick was concerned, for there were no such duties there previous to the Union—(Cries of "question, question").

**Hon. Mr. Holtton** asked that the debate be adjourned as other members desired to speak and it was useless to do so when the House was so impatient.

**Hon. Mr. Cartier** said the debate on the sugar duties might be made the first order to-morrow, after which he would proceed with the resolutions on the fortifications.

After some further conversation it was agreed to divide on Mr. Jones' amendment, which was negatived—yeas, 32; nays, 85.

**YEAS**—Messrs. Anglin, Bolton, Bourassa, Burpee, Cameron (Inverness), Coffin, Connell, Coupal, Dorion, Ferris, Fisher, Forbes, Fortier, Godin, Jones (Halifax), McDonald (Antigonish), Mackenzie, Magill, McLellan, Mills, Oliver, Paquet, Parker, Pozer, Ray, Ross (Prince Edward), Ross (Victoria, N.B.), Savary, Stirton, Thompson (Haldimand), Wallace, Workman—32.

**NAYS**—Messrs. Beaty, Bechard, Bellerose, Benoit, Bertrand, Blanchet, Bowell, Bown, Brousseau, Brown, Burton, Campbell, Carling,

Caron, Carrier, Cayley, Chamberlin, Chauveau, Cheval, Cimon, Colby, Costigan, Crawford (Brockville), Crawford (Leeds), Currier, DeNiverville, Desaulnier, Dobbie, Drew, Dufresne, Fortin, Gaucher, Gaudet, Gendron, Gibbs, Grant, Gray, Grover, Holton, Howland, Huntington, Irvine, Keller, Kempt, Kirkpatrick, Langlois, Langevin, Lapum, Lawson, Little, McDonald (Glengarry), Sir John A. Macdonald, McDonald (Middlesex), Masson (Soulanges), Masson (Terrebonne), McCarthy, McConkey, McDougall, McMillan (Vaudreuil), Morison (Victoria, O.), Munro, Merritt, Perry, Pinsonneault, Pouliot, Renaud, Robitaille, Rose, Ross (Champlain), Ross (Dundas), Rymal, Scatcherd, Shanly, Simard, Sproat, Stephenson, Sylvain, Tilley, Tremblay, Walsh, Webb, White, Whitehead, Wilson Wright—85.

The following are the rates of duty that the various grades of sugar would pay under the new tariff, as calculated by Mr. Jones:—For the purposes of comparison with the late scale, six different rates of cost, price and of duties on each, to correspond, are given, namely: \$3, \$2.50, \$2.28, \$2, \$1.62, and \$1.20.

**Hon. Mr. Holton**, in explanation of his vote, said the proposition of the member for Halifax had appeared to him open to the objection that it proposed to levy the same rates of specific duty on all classes of sugars, without any reference whatever to their value. The Government proposition, he thought, was open to the same objection, that it did not classify sugar sufficiently; but the proposition of the member for Halifax was still more objectionable from his point of view than that of the Government.

The resolution relating to sugar and molasses, and also the 25 and 10 per cent lists were agreed to.

On the resolution relating to the 5 per cent list—

**Hon. Mr. Chauveau** moved in amendment that the printed books, pamphlets and periodicals, not foreign reprints of British copyright works, and blank account books, books to be written or drawn upon, etc., be placed on the free list.

Lost—Yeas, 45; Nays, 65.

**YEAS**—Anglin, Bellerose, Bourassa, Bown, Brousseau, Burton, Cameron (Inverness), Chauveau, Coffin, Colby, Coupal, Currier, DeNiverville, Forbes, Gaudet, Godin, Grant, Holton, Irvine, Jones (Halifax), Kempt, McDonald (Antigonish), Mackenzie, Masson

(Soulanges), Masson (Terrebonne), McLellan, Mills, Morison (Victoria), Oliver, Pacquet, Parker, Pozer, Ray, Ross (Victoria, N.S.), Rymal, Savary, Scatcherd, Stephenson, Stirton, Tremblay, Walsh, Webb, Whitehead, Workman, Wright—45.

**NAYS**—Beaty, Bechard, Benoit, Bertrand, Blanchet, Bolton, Bowell, Brown, Burpee, Campbell, Carling, Caron, Cartier, Cayley, Cheval, Cimon, Connell, Costigan, Crawford, Desaulnier, Dobbie, Drew, Dufresne, Ferris, Fisher, Fortier, Fortin, Gaucher, Gendron, Gibbs, Gray, Howland, Keeler, Kirkpatrick, Langlois, Langevin, Lapum, Lawson, Little, McDonald (Glengarry), Macdonald (Sir J. A.), McCarthy, McConkey, McDougall, McMillan (Vaudreuil), Munro, Merritt, Pinsonneault, Pouliot, Renaud, Robitaille, Rose, Ross (Champlain), Ross (Dundas), Ross (Prince Edward), Ryan, Simard, Sproat, Sylvain, Tilley, Wallace, White, Wilson—65.

**Mr. Gibbs** moved in amendment to restore bar, rod and hoop, and sheet iron and wire to the free list.

**Mr. Workman** seconded the amendment. He complained that in framing the tariff the Government did not seem to have been guided by any principle. The articles mentioned in the amendment which had been transferred from the free list were fair subjects of taxation. It was necessary for the purpose of revenue; but if so, why should other similar articles remain in the free list, as brass and copper wire, borax, scrap iron, machinery used in the construction of mills or factories; why should bar, rod and sheet iron be alone selected for duty? He thought it particularly objectionable to have machinery on the free list when raw material was taxed.

**Hon. Mr. Rose** said Government in transferring articles from the free list had selected those that were partially manufactured in this Province, and which would yield a considerable amount of duty—somewhere about \$100,000.

**Sir G. E. Cartier** said he would have rejoiced as much as his colleague from Montreal Centre if sufficient revenue could have been raised without taxing these articles. The member for Centre Montreal asked why other articles were not taxed. The answer was obvious. The Government only desired to impose such duties as would meet the exigencies of public service, and when they took a certain number of articles for revenue purposes from the free list and im-

posed five per cent on them, that was no reason why they should tax other articles now on the free list when additional revenue was not required. Perhaps sometime hereafter the Government would meet the views of the member for Montreal Centre by taxing other articles if more revenue was required.

**Hon. Mr. Holton** said if all that was required was \$100,000 of revenue—if that was the sole reason for imposing this 5 per cent on certain articles—would it not have been better to have included all this class of articles under a smaller duty, say 2½ per cent. The same principle should be made applicable to the whole of them. Still, if the revenue was required, and as the member for Centre Montreal had admitted these articles were fair subjects for taxation, he (Mr. Holton) was afraid he must vote against the amendment which his honourable friend had seconded.

**Mr. Gibbs** said if it was revenue that was required, ten or fifteen per cent on machinery used in the construction of mills and factories would produce \$100,000 or \$150,000.

The amendment was lost on a division, and the resolution was agreed to.

The resolution as to ale and beer was agreed to.

On the resolution imposing 15 per cent and 3½ cents per pound on black, and 15 per cent and 7 cents per pound on green tea—

**Mr. D. A. McDonald** said that he thought this discrimination in favour of black tea, because the Lower Provinces used it exclusively. He moved that the specific duty on green tea be reduced to 5 cents.

**Mr. Burpee** defended the discrimination as an offset to the tax on molasses of which New Brunswick consumed nine times as much as Ontario in proportion to the population.

**Mr. Mackenzie** thought the discrimination against green tea which was chiefly used in Ontario was entirely unjustifiable.

**Hon. Mr. Anglin** said the rate on black tea fixed in the early part of the session, he understood was a concession to the Lower Provinces, although it was greater than they had paid before the Union. To withdraw that concession might probably increase the discontent prevailing there. He had voted for every proposition to-night to reduce duties, but he could not support the present proposition.

**Mr. Mackenzie** said the honourable gentleman supported every proposition to reduce taxes which affected the Lower Provinces, but when it was a tax affecting only the West he would not go for reduction. Was that what he considered a fair course to all sections of the Dominion?

**Mr. Ross (Dundas)** regretted Government had not been able to reduce the tax on tea which was most burdensome on the poor. They might have done this instead of placing in the free list some articles which were fair subjects for taxation.

**Mr. Rymal** complained that the tobacco duties were so graduated that the cheaper kinds paid more in proportion to their value than the dearer. The same objectionable principle was found in the duties on tea and sugar. He thought it very objectionable. The Scripture told us to "remember the poor," not to "remember the rich."

The House divided on Mr. D. A. McDonald's amendment. Lost. **Yeas, 48; Nays, 58.**

**Yeas**—Bechard, Benoit, Bowell, Brousseau, Brown, Cameron (Inverness), Cayley, Cheval, Coupal, Currier, Drew, Fortier, Gaudet, Gendron, Gibbs, Godin, Holton, Huntington, Kempt, Lapum, Lawson, Little, McDonald (Glengarry), McDonald (Antigonish), Mackenzie, Masson (Soulanges), Masson (Terrebonne), McConkey, Mills, Monroe, Merritt, Oliver, Paquet, Parker, Pinsonneault, Pozer, Ross (Dundas), Ross (Prince Edward), Rymal, Scatcherd, Stephenson, Stirton, Tremblay, White, Whitehead, Wilson, Workman and Wright—48.

**Nays**—Anglin, Archambeault, Beaty, Belterose, Bertrand, Blanchet, Bolton, Bown, Burpee, Burton, Campbell, Carling, Caron, Cartier, Chamberlin, Cimon, Connell, Costigan, Crawford, Crawford, DeNiverville, Desaulnier, Dobbie, Dufresne, Ferguson, Fisher, Fortier, Gaucher, Gray, Howland, Jones (Halifax), Keeler, Kirkpatrick, Langlois, Langevin, McDonald (Lunenburg), Macdonald (Sir J. A.), McCarthy, McDougall, McLachlin, McLennan, Pope, Pouliot, Ray, Renaud, Robitaille, Rose, Ross (Champlain), Ross (Victoria, N.B.), Ryan, Savary, Shanly, Simard, Sylvain, Tilley, Wallace, Walsh and Webb—58.

**Mr. Masson (Terrebonne)** objected to the proposed rating of wines, which lowered the duties on expensive and luxurious wines as champagne, and increased the duties on cheaper wines.

**Hon. Mr. Rose** disputed Mr. Masson's assertion, and contended that the proposed duty of 20 per cent *ad valorem*, and 10 cents per gallon, rated wines according to their value much better than the old tariff.

**Mr. Mackenzie** moved to reduce the specific duty on green tea to six cents.

**Hon. Mr. McDougall** appealed to the House to sustain the Government on the measures they considered necessary to raise sufficient revenue. He hoped friends of the Government would show their confidence in the Government, and rise superior to the temptation to give a claptrap vote.

**Mr. Mackenzie** said the men of public works of course expected that no one behind the Treasury benches would dare to vote for his amendment, after this cracking of the whip over them. If they were so easily terrified they would not show that spirit which was characteristic of our people.

**Sir G. E. Cartier (in French)** appealed to his friends to vote down the amendment, which, he said, was moved in the interest of Ontario.

**Hon. Mr. Holton** rebuked the Minister of Militia for making a sectional appeal which, moreover, had no just foundation for green tea was just as commonly used in Lower as Upper Canada.

**Mr. D. A. McDonald** said he had never given a claptrap vote in his life, and hoped he never would. He advocated this reduction as a matter of justice.

**Sir J. A. Macdonald** opposed the amendment as being the withdrawal of a solemn pledge given to the Lower Provinces in the first part of the session, and then put on the statute book. The member for Glengarry then voted to sustain the Government in this tax. It would be unfair to unsettle the tariff then fixed.

**Mr. D. A. McDonald**—I supported you in the duty then put on flour, and you have taken it off since.

**Mr. Mackenzie** replied to the leader of the Government saying, he had never used a weaker argument. If laws once made were never to be altered, the world would still be in a state of barbarism. The Government in the first part of the session distinctly said that the tariff when introduced was a mere temporary make-shift—that there was to be a

complete revision of it in the latter part of the session. Why was it now submitted to them at all if the House was not to be at liberty to revise it?

**Mr. Gibbs**, as one friendly to the Government, wished to know if he made a suggestion for revision of the tariff, and the House sustained, whether Government were to turn round and declare it a vote of want of confidence. If the Minister of Public Works had before the last vote was taken, made the statement he did after it, he (Mr. Gibbs) would have voted against the amendment, and would have done so with all the more satisfaction because he looked upon green tea as a rank poison, (but those who used it did not think so) and he considered this reduction was a matter of justice to Ontario and Quebec, and having voted for the reduction to five cents, he would not now stultify himself by voting against the reduction to six cents.

**Mr. Bowell** said the Minister of Justice had not fairly represented the vote of the first part of the session. It was a vote not referring exclusively to green tea, but was a proposition to go into Committee to reduce the duties on tea, molasses, and a number of other articles. If the doctrine laid down by the Minister of Public Works were correct, the members might as well go home, and leave the Government to do the whole work of legislation. He (Mr. Bowell) was not going to change his vote on account of anything that had been said by the Minister of Public Works.

**Hon. Mr. Anglin** thought the rate of six cents on green tea was more in proportion to value, as compared with the duty on black tea, than the rate in these resolutions. He put it to the Ministry whether, for the sake of one cent, they should maintain an invidious distinction. He wished to have fair play all round.

The House then divided on Mr. Mackenzie's amendment which was lost. **Yeas, 45; Nays, 53.**

**Yeas**—Messrs. Anglin, Bechard, Bowell, Brown, Cameron (Inverness), Cheval, Coupal, Currier, Drew, Fortier, Gibbs, Godin, Holton, Huntington, Jones (Halifax), Kempt, Lapum, Lawson, McDonald (Glengarry), McDonald (Antigonish), McDonald (Lunenburg), Mackenzie, Masson (Soulanges), Masson (Terrebonne), McConkey, McLellan, Mills, Morison (Victoria, Ont.), Merritt, Oliver, Paquet, Parker, Pozer, Ross (Dundas), Ross (Prince



Edward), Ross (Victoria, N.B.), Rymal, Scat-  
cherd, Stephenson, Stirton, Tremblay, White,  
Whitehead, Wilson, Workman—45.

**Nays**—Archambault, Beaty, Bellerose,  
Bertrand, Blanchet, Bolton, Bown, Burpee,  
Burton, Campbell, Carling, Caron, Cartier,  
Chamberlin, Cimon, Connell, Costigan,  
Crawford (Brockville), Crawford (Leeds),  
DeNiverville, Desaulnier, Dobbie, Dufresne,  
Ferris, Fisher, Fortier, Gaucher, Gray,  
Howland, Keeler, Kirkpatrick, Langlois,  
Langevin, Sir. J. A. Macdonald, McCarthy,  
McDougall, McMillan, Pope, Pouliot, Ray,  
Renaud, Robitaille, Rose, Ross (Champlain),  
Ryan, Savary, Shanly, Simard, Sylvain, Til-  
ley, Wallace, Walsh and Webb—53.

**Mr. Ross (Dundas)** moved an amendment  
that corn and grain of all kinds, except  
wheat, be taken from the free list and remain  
in the ten per cent list as formerly.

Lost. **Yeas, 20; Nays, 81.**

**Mr. Mackenzie** moved that rice, on which  
this tariff proposes 15 per cent, be restored to  
the free list.

Lost on a division.

The remaining resolutions passed up to the  
last, imposing export duties on logs and shin-  
gles, staves and bolts.

**Mr. Mackenzie** moved to strike this out, as  
the constitution did not allow the imposition  
of export duties with reference to New  
Brunswick, he objected to their being passed  
with reference to the other Provinces. The  
same principle should be applied to all.

Lost on division.

**Mr. Lawson** moved to reduce the duties on  
pine logs, from \$2 to \$1, and stave bolts of  
elm from \$1 to 50¢.

**Mr. Walsh** urged that the proper course  
would be to make the duties on logs *ad valo-  
rem*. The amendment was lost on a division.

All the resolutions having been concurred,  
Messrs. Howland, and Tilley, introduced the  
Excise and Customs Bills founded on the  
same.

The House adjourned at ten minutes past  
four o'clock.

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## HOUSE OF COMMONS

Friday, May 1, 1868

The Speaker took the Chair at 3 o'clock.

### REPORT ON SHIP BUILDING

Mr. Desaulnier presented a report from the Select Committee on ship building, recommending that a drawback be granted of all duties on iron used in the construction of composite ships.

### FORTIFICATIONS

Sir G. E. Cartier moved that the House resolve itself into Committee of the Whole to consider the following resolutions:

1st. That it is expedient to provide that a sum not exceeding 1,000,000 pounds sterling, be applied to defray the expense of constructing works of fortifications for the defence of Montreal and other cities and places west of Montreal, and also for the defence of the city of Saint John, N.B.

2nd. That it is expedient that sums required for the purpose mentioned in the preceding resolution be raised from time to time by loan under guarantee of the Imperial Government, and that the sum so raised with the interest thereon, be a charge on the Consolidated Revenue Fund of Canada, next after the appropriation for the construction of the Intercolonial Railway; as shall also such further sums as may be necessary to repay the said loan either by way of a sinking fund not exceeding one per centum per annum on the principal sum so raised for the purpose of paying off the same, or in such other way as the Governor-in-Council may determine.

The honourable gentleman spoke at some length on the resolutions. He said the subject contained in these resolutions was not new. It was proposed to raise 1,000,000 pounds sterling on the guarantee of the Imperial Government for works of fortifications for the defence of Montreal, Kingston, Toronto, Hamilton, Paris, London; and also Saint John, New Brunswick. When this subject was mooted some time ago, the cry was raised that the money would be applied to the fortification of Montreal alone. It was now his happiness to give a contradiction to this statement by submitting these resolutions. It was well

known that the Imperial Government had undertaken the fortification of Quebec. They would also do what was necessary for the defence of Halifax as the principal British naval station on this continent. The Imperial Government had always declared that the whole resources of the empire were pledged to the defence of Canada; but that at the same time Canada must do something for herself. The despatches showing the views of the Imperial Government had been laid before the House. They required us to provide for the defence of Montreal. It had been represented that it would not do to leave Ontario undefended. The Imperial Government did not wish to leave us in a false position. They stated that with Montreal and Quebec fortified, they would undertake the defence of Canada. This had given rise to the impression that all the money would be spent at Quebec and Montreal, and that Ontario would be left defenceless. Conferences followed between the Canadian and Imperial Governments, and it was agreed that there should also be fortifications at various strategic points in Upper Canada—Toronto, Kingston, Hamilton, and other places. The Imperial Government with that view agreed to extend the guarantee to the amount required to be raised for fortifying those places, as well as Montreal. It was not in his power to submit any confidential report as to the precise nature of these fortifications. It would not be right for him to do so. To break secrecy with regard to these reports would be to defeat to some extent, the object aimed at. The sum required for the fortification of Montreal, though the principal point to be fortified, would not exceed 430,000 pounds sterling or 440,000 pounds sterling. An entrenched camp would be constructed there in order to provide for an invasion from our neighbours, whether by Lake Champlain or from Ogdensburg. This camp and the fortifications would extend from opposite Montreal, and would reach the County of Vaudreuil. This 440,000 pounds sterling would provide fortifications that would meet the views of the British Government. The expenditure for the land and sea defence of Saint John, N.B. would be 190,000 pounds sterling

to 200,000 pounds. There would then be reserved more than half the amount for Ontario. A large portion of this balance would be spent at Kingston, the key to Upper Canada; the rest at Toronto, Hamilton, Paris and London. It was probable that at London there would be large works in the shape of an Inland Camp. There would be various objections to this expenditure for fortifications. First, it would be said they would be unproductive works. In reply to this he would say that our country had reached that position of importance that we should follow the example of other nations and fence our country against aggression. When we made fences between ourselves and our neighbours, it was a solemn declaration to them and to the world that we intended to remain connected with Great Britain. We should remember that we had received a great deal of money from Britain; the capital of our banks, the money for the construction of our railways, etc.; and when we raised the defences of which we had spoken, it was an additional security to the British capitalists that their money was safe, and we could in future receive what more money we wanted on cheaper terms. The argument therefore against his scheme, or rather against the scheme suggested by the British Government, that it was spending money on unproductive works, would not hold good. Another objection was, that it was too heavy an expenditure for our resources. The Minister of Finance had shown that in the coming year there would be a sufficient surplus to pay interest and sinking fund on the money raised not only for these fortifications but for the Intercolonial Railway. If the money was borrowed in five annual instalments of 220,000 pounds sterling each, the charge for the first year at four per cent interest and one per cent sinking fund would be \$52,532; on the second year \$107,066; on the third year \$160,600; fourth year \$214,133; fifth and thereafter \$267,666. In 38 or 42 years, according to whether the sinking fund was invested at six per cent or five per cent, the whole amount would be entirely paid off; and he thought that such a charge on the public treasury was a very light one when we took into account the immense benefit the Dominion would derive from it. The ordinary expenditure for the Militia would not exceed \$900,000 or \$1,000,000, add to that the charge for interest and sinking fund on the fortifications loan of \$267,000 after five years, and the charge on so great a country as the Dominion of Canada for the maintenance of the Militia organization and for

[Sir G. E. Cartier (Montreal East).]

fortifications, would not be more than \$1,267,000 yearly. This was less than the charge on any other people similarly situated, but he believed that possibly the charge for militia after we had these fortifications might be less than what he had stated. Another objection was embodied in the idea that with the heavy guns of modern times, Armstrongs and others, there were no fortifications that could resist them. This idea he pronounced fallacious and unfounded. Some honourable gentleman had stated that the best fortifications Her Majesty could have for the defence of this Dominion, were to be found in the loyalty and in the hearts of its inhabitants. He admitted this furnished a most essential defence, but they were not sufficient. A nation inferior in number could not cope with a nation superior in number without fortifications. Those having such feelings should be protected so that they might live as long as possible to confront the foe. He could not admit for a moment that fortifications were useless. They were especially valuable for a nation situated as ours; for though our climate had its disadvantages, it had this advantage, that it limited the possibility of military operations against us to six months in the year. In the late war in the United States we had seen how long the immense armies under the Northern generals had been kept at bay by the fortifications of Petersburg and Richmond. By means of their fortifications the South, which could only put 500,000 men in the field, had for five years successfully resisted the North with its vastly superior resources, and which put into the field altogether 2,600,000. If Canada should be invaded, we had the power of Britain to back us, and the United States would require a large portion of their forces to defend their Atlantic seaboard and California and Oregon, which were more vulnerable by Britain than Canada was by the United States. He did not see how the United States, in the event of a war, could spare more than 150,000 men for the invasion of Canada; but with the expenses of the late war and the burdens it had entailed on them he did not believe the United States would go to war with Great Britain. (Opposition cries of "hear, hear.") It was said that in case of a war with the United States, let us meet them with flesh against flesh, but they had more flesh than we had and not content with that they were erecting fortifications besides. The honourable gentleman then referred to the history of the Crimean war to show the value of fortifica-

tions; also to the negotiations between France and Prussia about Luxemburg, and to the part played by the Quadrilateral in saving Austria during the late Italian war. He expected the resolutions he had now the honour to submit would be accepted almost unanimously by the House. The member for Lambton had stated he would move an amendment, but he believed the honourable gentleman himself would be pleased if his amendment were defeated by an overwhelming majority. His (Sir George's) intention was not to press a vote to go into Committee to-day. He wished to have the discussion go on with the advantage of having the Speaker in the Chair, and after it had gone on for some time he would move for an adjournment of the debate, that every member might have an opportunity of full reflection before the vote was taken.

#### BAGOT ELECTION COMMITTEE

The names of the members appointed to serve as the Bagot Election Committee, were here called. All were present except the Chairman, Mr. Joly, who is absent from the city.

**Mr. Walsh** moved that Mr. Joly be taken into custody by the Sergeant-at-Arms. Carried.

#### THE FORTIFICATION QUESTION

**Hon. Mr. Holton** asked whether in the event of the debate appearing to be fully exhausted this evening, the Minister of Militia would still want its adjournment.

**Sir G. E. Cartier** said such was his intention. Government wished the subject to be thoroughly discussed. Some members who were absent might wish to take part in the debate, and would have an opportunity of doing so on Tuesday.

**Hon. Mr. Holton** thought if that were the view of the Government that they should wait for the presence of some gentlemen now absent. The debate had better be adjourned at once, and he would recommend the member for Lambton not to move his amendment until the debate came up in order to be fairly decided.

**Mr. Mackenzie** said after the statement of the Minister of Militia, he would not move his amendment now but reserve it until the debate was taken up with a reasonable probability of its being proceeded with to a conclusion.

**Sir John A. Macdonald** thought the member for Lambton was afraid to place his answer to the Minister of Militia and his amendment before the country to be considered in connection with Mr. Cartier's speech. (Oh, oh!) he would rather rise at the last moment and submit an amendment, to be disposed of at once, before the House and country had had time to weigh it.

**Mr. Mackenzie** said he had faced both the Minister of Militia and the Minister of Justice for some years, and had never been much terrified by either of them. He had told the Minister of Militia yesterday that he had his amendment ready, and asked if he thought it should be printed. The honourable gentleman thought it unnecessary. If he had thought it should be printed it would have appeared in the votes and proceedings to-day. In order fully to meet the taunt of the Minister of Justice, he begged now to hand in his amendment to the Clerk as a notice of motion. (Hear, hear.) The amendment was as follows:—"That the question of the erection of permanent works of defence should form a subject of inquiry by a special commission or select committee—first as to the necessity for and utility of such works and the relative share of the burden thereof to be borne by the Colonial and Imperial authorities respectively. Secondly—The system of defence deemed necessary, the character of the works, their extent, locality and cost; and that pending such inquiry and report to Parliament, it is not expedient to vote any sum of money for fortifications of the nature, extent, utility and cost of which this House is uninformed."

**Hon. Mr. Dorion** made some comments on the singular course of the Government in determining to have this debate adjourned. It was generally understood that business was to be hurried forward so as to have a prorogation in a fortnight. It seemed as if it was intended by the Government to delay these resolutions till the very end of the session, when they would be pushed through at a time when there was no inclination for discussion, and when many members would be absent.

**Hon. Mr. Johnson** insisted that the Minister of Militia should bring down the details of the expenditure proposed, in order to give the House an idea of how it was to be appropriated—that there was no precedent for voting a sum like this en bloc.

**Sir J. A. Macdonald** moved that the debate be adjourned. Carried.

## COMMITTEE OF SUPPLY

**Hon. Mr. Rose** moved that the House go again into Committee of Supply.

**Hon. Mr. Holton** moved in amendment—That all the words after “that” in the original motion be omitted, and the following inserted:—“It is expedient to provide for a reduction on the first day of July next of the salary of the Governor-General to \$35,000 per annum, and of the salaries of all officers and employees of the Government receiving more than \$800 per annum by at least 12½ per cent, and to provide that no salaried officer of Government shall receive any extra emoluments for special services.” He said his motion spoke for itself, and he thought it scarcely necessary for him to say anything in its support. He believed the general feeling of the country was that \$35,000 would be a sufficient salary for the head of the Government. As regarded the second proposition, he thought the Government must admit its justice when they had supported a similar reduction with reference to employees of the House. As to the third proposition, its justice could hardly be disputed. If salaried officers were engaged on special services, it was clear their ordinary duties were not sufficient to occupy their time, or else that these duties were neglected. In either case they should not receive two prices for their services.

**Mr. Mackenzie** seconded the motion.

**Mr. Dufresne** moved in amendment to the amendment, that the salary of the Governor-General be \$32,000.

**Mr. Speaker** ruled this amendment out of order—only one amendment being permissible to a motion for going into Committee of Supply.

**Hon. Mr. Dunkin** objected to Mr. Holton's amendment that it contained three propositions. If put in its present form, it debarred the House from considering hereafter any one of the propositions separately and on its own merits.

**Hon. Mr. Holton** said that in reality there was but one principal proposition, namely, to reduce.

**Hon. Mr. Galt** supported Mr. Dunkin's view, and thought any member of the House could require the motion to be divided.

**Hon. Mr. Dorion** contended that the motion was in order.

**Sir John A. Macdonald** supported the contrary view—that it ought to be divided. The honourable mover might persist in it, but it appeared to have been framed so as to ensure defeat.

**Hon. Mr. Holton** said he had no desire to place the House in an embarrassing position.

**Sir John A. Macdonald**—It is you who are in an embarrassing position.

**Hon. Mr. Holton**—Not at all. If the leader of the Government put it on that ground, he would refrain from making the proposition he had intended. He was quite willing to give the leader of the Government an opportunity of giving a square vote on the whole motion; but if it was the desire of the House to have three votes instead of one, he was willing to divide it; or if it was the desire of the House simply to vote on the Governor-General's salary, he would strike out the latter part of it; but if the Government wished to join issue on the whole motion, he (Mr. Holton) and his friends were quite prepared to take their stand on it in its present shape.

**Mr. Jones (Leeds)** desired to have the vote confined to the Governor-General's salary. As for the proposed reduction of all salaries by 12½ per cent, such a sweeping measure, without any previous enquiry, was very objectionable. It did not rest on the same basis as the similar proposition with reference to salaries of officers of this House, which had been decided upon after a full investigation by a Committee.

**Hon. Mr. Gray** expressed the opinion that the motion did not violate any rule of the House. It was simply a question of expediency, to be judged by the mover, whether he should present it in that shape or not.

## MERCHANTS' BANK OF CANADA

*After the recess,*

**Hon. Mr. Holton**, in the absence of Mr. Abbott, moved the House into Committee of the Whole on the Bill to confirm the amalgamation of the Commercial Bank of Canada and the Merchants' Bank.

The Committee reported the Bill with some amendments, which were agreed to, and the third reading was ordered for Monday.

## MONTREAL WEST ELECTION

**Mr. Speaker** read a certificate from the Clerk of the Crown Chancery, that M. P. Ryan, Esq., had been elected to represent Montreal West.

## MR. HOLTON'S AMENDMENT

Mr. Speaker then gave his decision on the objection raised by Mr. Dunkin to Mr. Holton's motion. He decided that the motion was quite regular—That it was a complex motion. It was not therefore irregular.

Hon. Mr. Rose spoke in opposition to Mr. Holton's amendment. He referred to an erasure from the motion as originally drawn, which was aimed at reducing the salaries of ministers of the crown to \$4,000. The honourable gentleman, however, carefully looking at all contingencies, had decided to protect the present occupants for the sake of the incoming tenants. (Laughter.) But his honourable friend striking that out levelled his artillery at the Governor-General above, and at a lower game below, by proposing to strike off 12½ per cent from the salaries of officers receiving over \$800. If the salaries of Civil Service men were too high, he wished the House to consider that they had their salaries fixed by an Act of Parliament. The officers under that Act had reached certain positions after various terms of service, and the proposition was, that without any discrimination—without any inquiry as to the value of their services—they should be subjected to a reduction of at least 12½ per cent.

Mr. Jones (Leeds) asked if they had their salaries under an Act of the Dominion Parliament.

Hon. Mr. Rose said whether that were so or not, many of these men had grown gray in the public service, and were entitled to more consideration than this motion gave them. There was now a Civil Service Bill providing that men should enter the service at lower salaries than at present, and that they should get promotion according to a certain scale of length of service. At the same time Government had a certain discretion to adapt the salaries to the value of the officers. But this motion showed no such discretion, but proposed a general reduction without any reference to the value of the services rendered. Mr. Rose proceeded to contend that the officers in the Civil Service were not overpaid, and read some figures to show that they were not so well paid as the corresponding officers in the Legislature. He asked the House to pause before taking out of the hands of the Government the task in which they were now engaged of revising the whole civil service, and carefully adjusting the remuneration to the value of services. He would go as

far as any man for retrenchment and economy. At the same time he thought it of essential importance to the efficiency of the public service that the Government should have the power of dealing justly with these officers who devoted themselves to their work with the highest degree of industry, integrity, and zeal. As regarded the last proposition in the motion, it was merely a slavish copy of a part of the Civil Service Bill which the Government had now before the House. It was somewhat extraordinary that the honourable gentleman should propose to stop the supplies in order to forestall and anticipate what the Government were asking the House to enact.

Mr. Chamberlin regretted that the Minister of Finance had not argued as ably the absurdity of a general indiscriminate reduction of 12½ per cent when applied to the employees of this House, as he did now when applied to the employees of the Government. The motion of the member for Chateauguay divided itself into three parts, and each of them was bad. If the Governor-General were an officer of the Dominion, his salary should be exorbitant; but he was an officer of the Imperial Government, and when we gave back to Britain, in return for all the benefits we received from her, only this one salary, we should not quarrel about its amount. It might, perhaps, be advisable to reduce it, but the reduction to \$35,000 was decidedly too great. The second part of the motion was mischievous and absurd. The third part was needless, being simply a copy of an enactment which Government had at present before Parliament.

Hon. Mr. Dorion said that it would be a reflection on the officers of this House if the officers of departments were not similarly reduced. The present motion was an expression that the scale of salaries was too high and should be reduced at least 12½ per cent. It was only carrying out the views enunciated by the Government in regard to the officers of this House and should be literally followed up. The honourable Minister of Finance had not, when referring to the Governor's salary, shown any disposition to reduce it. From that it was evident the Government did not contemplate economy in this matter. He compared the salaries allowed under the old Civil Service Bill with those of the new, and stated that they went \$200 higher in the new.

Mr. Young went for retrenchment in the several branches of the public service. He

was surprised to find the member for Missisquoi making such a speech after the attempts made by that honourable gentleman towards economy. One night we found him coming out for retrenchment and low salaries; the next night for reducing the indemnity of members; and the next for no retrenchment at all. This was certainly very inconsistent. He then went on to remark that the salary of the Governor-General was larger than it ought to be, and larger than the country was able to pay. Expenditure was increasing every year, and instead of Government attempting to curtail it, they would not listen to a motion like the present. He understood that the proposed Civil Service Bill was intended to reduce Departmental salaries, but in fact it was nothing of the kind.

**Mr. Cartwright** said the subject of the Governor-General's salary had been freely discussed in Upper Canada; but, whatever view he might at one time have held in reference to the amount paid him, he thought at this present time it would be impolite to interfere with it. Judging from the salaries paid to Governors in other British Provinces, he thought that Canada did not pay more than a fair share. In view of the large sums expended by British in fortifications in Canada, it would be an insult to reduce the salary of the Queen's representative here. He would vote against the motion.

**Mr. Oliver** said in connection with this question, it should be remembered that a residence was provided for the Governor-General. Of course, it was proper that a fitting residence should be provided. But the amount expended in Rideau Hall, he thought, was altogether too large. Adding the sums expended in 1867 and those estimated for the present and coming year, they amounted to no less than \$293,000. In view of this and of the other allowances made to His Excellency, the expectation of the country that his salary should be reduced was a reasonable one, and the country expected that not only the salary of the Governor-General, but the expenses of the Government generally should be reduced. When Confederation was being urged on the people, it was represented that the expenses of the Government machinery would be diminished. The Government had now the opportunity given them of fulfilling the pledge then given. The hardships that would be entailed upon the employees by reducing their salaries had been dwelt upon. But even greater consideration was due to the hard

working people whose industry had made the country what it is, and who were kept in poverty by the taxes necessary to sustain the extravagance of Government.

**Mr. Pope** said he would fix the Governor-General's salary at less than the figure proposed by the member for Chateaugay, and if an opportunity was afforded him, he would submit a proposition to the House to reduce it still less. He must oppose the extravagant proposition of the member for Chateaugay to fix it at \$35,000. If \$30,000 was enough, as he (Mr. Pope) thought it was, why should he vote for \$35,000? As to the second proposition—to reduce the salaries of the employees by 12½ per cent, that was retrenchment no doubt, but the question of efficiency should also be taken into consideration. He would retrench by reducing the number of employees, by striking off those that were useless. There was no justice in taking 12½ per cent off all salaries; some might bear 25 per cent to be taken off. He wanted a common-sense retrenchment that would bear scrutiny. It would not be true retrenchment to take 12½ per cent from a man who was underpaid, and the same 12½ per cent from a man who might be justly deprived of 25 per cent or more.

**Hon. Mr. Huntington** said what was "Sauce for the goose was sauce for the gander," and what was sound argument the other night with reference to salaries of employees of this House, was equally sound with reference to this motion. The member for Compton was rather an extremist in retrenchment, but his position was not logical. He complained that the member for Chateaugay had not gone far enough. He would have been more logical as a supporter of the Government if he had turned on the Government and complained that as guardian of the public treasury they had not anticipated the action of the member for Chateaugay, and themselves introduced a measure of retrenchment. The responsibility properly rested with them. The argument that there was injustice in an indiscriminate reduction of 12½ per cent, he would reply to in the words of the Minister of Justice, with reference to the employees of the House—that the same general principle must be adopted, and that if hardships should result they could be remedied hereafter. As for the salary of the Governor, it was out of proportion to the means of this country. No more could he see why there should be such an immense disproportion between the salary of our Chief Executive officer and those of his

[Mr. Young (Waterloo South).]



responsible adviser, who, it was to be assumed, were the men possessing the highest ability and statesmanship to be found in the country. He agreed there ought to be a disparity, but not that it should be so vast.

**Hon. Mr. Langevin**, in French, opposed the motion.

**Hon. Mr. Holton** said the Minister of Finance and the Secretary of State had both referred to words which were originally in the motion, but which had been struck out, and which were in no way before the House. He begged to give an explanation on this point. He had inserted a clause to make the reduction general by applying it to the salaries of Ministers. But on reflection, he had considered it better to strike it out lest his motion should appear to have a party aspect.

**Hon. Mr. Connell** made some remarks which were inaudible in the gallery. He was understood to comment on the Civil Service Bill, as showing the want of a disposition to retrench on the part of the Government, and to give his support to Mr. Holton's motion.

**Mr. Bellerose**, in French, declared himself an advocate of economy, but said he would vote against the amendment. He was not disposed to assist gentlemen opposite who were the opponents of Confederation to get possession of the treasury benches.

**Sir John A. Macdonald** said honourable members in voting against this motion would not thereby preclude themselves from voting on any future occasion, for any of the three propositions contained in it. It was an obstructive and factious motion. The member for Chateauguay could have brought it forward at any time since the beginning of the session, but he had postponed it till near the close of the session in order to bring it forward to stop the supplies. The way in which the Governor-General's salary was struck at, in connection with the pay of the most insignificant servants of the Government, was an insult to the representative of Her Majesty. The Government were quite prepared to discuss the question of the Governor-General's salary when brought up at the proper time, but they would not be dragged into a discussion of it when linked with the salaries of tidewaiters, doorkeepers, and messengers. If the honourable gentleman had wanted a fair discussion, he had ample opportunity of bringing forward each proposition separately long before this. The way in which he brought it forward prevented fair

discussion. As no amendment was allowable, honourable members who, like the member for Compton, thought the Governor's salary should be less than \$35,000, and others who thought it should be at some point between \$50,000 and \$35,000 were prevented from taking the sense of the House on their respective views. The honourable gentleman had not attempted to argue his second proposition to reduce all salaries by 12½ per cent. He had merely stated that the House had reduced the salaries of its own employees by that amount, and that the same rule should be applied to employees of the Government. That was no reason at all. He did not know if the honourable gentleman supported that reduction as regarded employees of the House.

**Hon. Mr. Chauveau**—He voted against it.

**Sir John A. Macdonald**—And yet he would apply that principle of which he disapproved to the salaries of all employees. That was the honourable gentleman's morality. A Committee of this House, after full investigation, had recommended the reduction. To make a parallel between the two cases there should have been a similar investigation into the salaries of Government employees and a similar recommendation. The motion was one of want of confidence in the Government; for in effect it stated that the Government could not be trusted to maintain due economy in the public service.

**Mr. Blake** said honourable gentlemen opposite, the Minister of Finance and the Secretary of State, had criticized not only what was contained in the motion, but what had been left out of it. This should be a lesson to honourable members to make fair copies of their motions. If there was one thing beyond another to which members had pledged themselves before their constituents, it was that they would endeavour to stop the wasteful extravagance which had hitherto characterized the administration of the Government. This session had nearly reached its close without anything in this direction having been done by Government, and the member for Chateauguay had therefore deemed it his duty to give the House, by this motion, an opportunity of giving expression to their views in this matter. The Minister of Justice said it was disrespectful to the Governor-General to couple his salary in this motion with those of other servants of the public. If there was anything in that view, His Excellency should have a separate blue book and separate estimate for himself, and a

separate day on which his salary should be voted. Ministers, when charged with not having carried out retrenchment, fell back on their Civil Service Act, which was now awaiting its 2nd reading. This however did not meet the case, for the Bill distinctly provided that it should not affect the salary of any clerk or officer now in the employment of Government. To this day the Government had not by anything they had done or proposed to do, got rid of the necessity for decisive action by this House in the direction of retrenching the expenses of the public service. Some honourable gentlemen were to vote against the motion because it did not go far enough—because they thought the Governor's salary should be reduced to \$30,000. If this motion were carried, it would not prevent action hereafter to reduce the salary below \$35,000. It would merely place it at that point for the present session. He did not hope for any practical action from those gentlemen to reduce it to \$30,000, and the effect of the course they were taking would just be to keep the salary at \$50,000. The country would understand the value of the pretensions of those gentlemen to economy when they were found voting against this motion. Action was what this country wanted, not profession, and thus with reference to the salaries of Government officials generally, which were admitted to be too high. If there was to be any retrenchment it must be by practical action like this, and not by leaving it to general professions on the part of the Government to economise.

**Hon. J. H. Cameron** said he opposed the motion on grounds different from those hitherto advanced. He thought the Governor-General's salary not too high. He thought the salaries of Government officials should not be reduced by 12½ per cent, and he thought if they did extra work they should get extra pay. He opposed the motion on these grounds, and would not be afraid to justify his course before his constituents. While his election was going on, the question of Governor's salary was repeatedly brought up, and he had always declared that he was prepared to vote for keeping it as it is. It was the only contribution we made to the empire, and its amount should be commensurate with the dignity of the officer as representative of Her Majesty, to whom it was voted. We could not expect that description of statesmen to be sent us as Governor who would most worthily represent the Crown, if the honour of the position was all that was offered. As for the

[Mr. Blake (Durham West).]

reduction of 12½ per cent on the salaries of Government officers, it would be misery to them, and a small saving in the aggregate to the public treasury.

**Hon. Mr. Chauveau** spoke in opposition to Mr. Holton's motion.

**Mr. E. M. McDonald** said that it was a most extraordinary un-British theory the Government had propounded. Were they to be told that the House had no right to decide on the items submitted? If so, what was the House for? Was the whole power to be left in the hands of the thirteen gentlemen holding themselves above the control of Parliament? If so, then the sooner Parliament delegated its functions to those 13 men the better. Were members to have the Ministerial rod held over them, as had been done yesterday and to-day, so that it was to be threatened that if they voted against the Government here they voted against British connection. When it comes to be the case that the Government are obliged to hold the whip over the heads of their own supporters, as had been seen, it was a bad sign of how affairs were. As for Government employees, they had higher pay than they could obtain as teachers or merchants' clerks, who had just as responsible and as onerous functions to perform. He knew that there were Government employees who could give two-thirds of their time to other business, and get paid for it. This was wrong. Those who received good full years' salaries from the Government, owed the Government their whole time, and should give it. If, on this question of salaries, the House here was to be whipped into line by a ministerial whip, it was time the people knew how so unwarrantable a departure from British precedent was defended. This was a British Legislature he was proud to say, and he wanted to see British precedents of legislation and good government obtain. The five or six millions asked for for fortifications were urged by the Government to be voted without any regard to the public opinion of the country.

**Mr. Bolton** said he was in favour of retrenchment, but he could not vote for cutting down all salaries indiscriminately. In his own Province the public officers did not receive salaries equal to those in this part of the Dominion. But he could not vote for reducing them.

**Mr. Little** said the vote he was called up to give this evening caused him a good deal of embarrassment. There was no man in this

House he would follow with more confidence than Sir J. A. Macdonald. A short time ago he had followed that gentleman in voting for cutting off 12½ per cent from the salaries of members of this House. Now he was told by the same gentleman to vote in quite a different direction. Whatever respect he might feel for the Ministry and its leader, he was not going to eat up his own words, and would vote for the amendment. (Hear, hear).

**Mr. Burpee** supported the amendment. He thought the ministry were to be blamed for not having taken some action in the direction of retrenchment. This motion went in that direction, and he felt he was bound to support it.

**Mr. A. P. McDonald** said he was a member of the Contingencies Committee which had recommended a reduction of the salaries of employees of the House. They did so after a full investigation, but here they were called on to vote for a reduction of salaries without any investigation, without any report by a Committee. He had full confidence in the Government that they would do full justice both to the country and to the employees.

**Mr. Walsh** attacked Mr. Little for deserting the Government on this question.

**Mr. Scatcherd** supported the amendment. He could not see from the Civil Service Bill that Government proposed to effect any retrenchment. The Minister of Finance expressed himself very desirous of retrenchment. He remembered that gentleman's connection with the erection of these buildings, and had no confidence in his ideas as to economy.

The house then divided on Mr. Holton's amendment, which was negatived by 73 to 52, as follows:—

**Yeas**—Bechard, Blake, Bodwell, Bourassa, Bowman, Burpee, Cameron (Inverness), Cheval, Cimon, Coffin, Connel, Coupal, Dufresne, Ferris, Forbes, Godin, Holton, Huntington, Jones, Kierzkowski, Little, McDonald (Glengarry), McDonald (Antigonish), McDonald (Lunenburg), Macfarlane, Mackenzie, McLellan, McMonies, Mills, Oliver, Paquet, Parker, Pinsonneault, Power, Pozer, Ray, Redford, Ross (Dundas), Ross (Prince Edward), Ross (Victoria), Rymal, Savary, Scatcherd, Snider, Stirton, Thompson (Haldimand), Tremblay, Webb, Wells, White, Whitehead, Young—52.

**Nays**—Archambeault, Bellerose, Benoit, Bertrand, Blanchet, Bolton, Bowell, Bown,

Burton, Caldwell, Cameron (Peel), Campbell, Carling, Caron, Cartier, Cartwright, Casault, Cayley, Chamberlin, Chauveau, Costigan, Crawford (Brockville), Crawford (Leeds), Currier, Desaulnier, Dobbie, Drew, Fortin, Galt, Gaucher, Gendron, Grant, Gray, Grover, Howland, Huot, Hurdon, Jackson, Keeler, Kirkpatrick, Langlois, Lawson, Macdonald (Sir J. A.), McDonald (Middlesex), Masson (Soulanges), Masson (Terrebonne), McCarthy, McDougall, McKeagney, McMillan, Morris, Morrison (Niagara), Munroe, Perry, Pope, Pouliot, Rankin, Renaud, Robitaille, Rose, Ross (Champlain), Shanly, Simard, Simpson, Sproat, Stephenson, Tilley, Wallace, Walsh, Wilson, Wood and Wright—73.

**Mr. Kempt** said he had paired with Mr. Lapum.

**Mr. Mackenzie** made some remarks on the course which had been pursued by the Premier in the debate. He had charged gentlemen on his (Mr. Mackenzie's) side with desiring to embarrass the Government. He denied that this had been the case. They had given Government the fullest opportunity to proceed with their measures, and when now they put on record their views on retrenchment, he thought it was unjust to charge them with a desire to embarrass the Government. Last night, the Ministerial whip had been cracked by the Minister of Public Works, and the grand old Tories had been obliged to crouch under the whip flourished over their heads by the latest adherent the Minister of Justice had got from the Reform ranks. The honourable gentleman (Mr. William McDougall) had no followers of his own; and therefore he cracked the whip over the Tories in a style that had been a matter of so much complaint on the street and in the corridors of the House that he had not ventured to repeat it to-night. The members for Missisquoi and Peel had relieved him (Mr. McDougall) of that duty, and had appealed to their party to support the Government. He believed the motion would not have been defeated but for that appeal. He (Mr. Mackenzie) was not sorry that party lines should be drawn in such a connection. He and his friends were pleased to be identified as a party with the cause of retrenchment.

**Mr. Chamberlin** replied to the member for Lambton, claiming that the party with which he was identified was the Union party. All the Anti-Confederates in the House had voted for the amendment.

**Hon. Mr. Holton** made some remarks in reply to the leader of the Government on the motion for going into Committee on Supply—the rules of the House had prevented him from speaking a second time on his own amendment. He denied that he had sought to get a vote of want of confidence in the Government, or to bring about a Ministerial Crisis. When he made the motion, he meant business. He wished to get a vote of the House in support of retrenchment, and as the Government had not done their duty in that matter, he (Mr. Holton) had done his. He had brought up the motion now because if this session passed over without introducing the subject of the Governor's salary there was little prospect of its ever being carried. The estimable nobleman who now filled the office was soon to leave us, and next session we would probably find in the office someone else, and it would be represented that he had come out from England on the faith that for five years he would receive a salary of \$50,000 per annum, and that without breach of faith we could not touch it.

**Mr. Rymal**, in illustration of the vote given by the member for Norfolk (Mr. Lawson), read from a speech delivered by that gentleman on receiving the nomination as Liberal candidate for his riding. In that speech, speaking of the leading members of the Government he said that he could not believe the man who had been characterized by reckless extravagance in the past, could easily change to economical views—that it would be

as easy for an Ethiopian to change his colour at will as any such thing, and that the people, if they desired economy and retrenchment, should be very careful as to whom they sent to Parliament. He (Mr. Rymal) doubted very much if the member for Norfolk had exercised that care and caution which he had recommended to them. (Hear, hear).

The House then went into Committee of Supply, Mr. Gray in the Chair.

The item before the Committee being aid to the Nova Scotia railway.

**Mr. E. M. McDonald** referred to some returns which had been brought down, showing that immediately before Confederation the salaries of officials on that road had been raised by about \$40,000. This was done, he believed, to influence the elections. He thought a strict inquiry should be made into this matter.

**Hon. Mr. McDougall** said this Government was not responsible, as the increase had been made before they came into office. What were the motives which had led to the increase he could not say. He had been informed, however, that the salaries had been very low. He believed the increase had not been so great as the member for Lunenburg had stated.

The item was agreed to.

The Committee then rose and reported progress, and the House adjourned at half-past two o'clock.

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# HOUSE OF COMMONS

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Monday, May 4, 1868

The Speaker took the Chair at 3 o'clock.

**Hon. J. H. Cameron** moved the reception of a petition from Thomas Rigney, praying for the settlement of an old claim for payments and services in connection with obtaining the Reciprocity Treaty.

**Hon. Messrs. Gray and Johnson** opposed the reception of the petition on the ground that it referred to a claim with which the House of Commons of the Dominion had nothing to do.

**Mr. Mackenzie** also opposed its reception, and read from May's Parliamentary Practice to show that the House should refuse to receive money petitions, and that the only way in which claims for money could be dealt with was by memorializing the Government and their recommending the House to make the grant.

**Hon. J. H. Cameron** replied. He said precisely the same rule as was now appealed to existed under the old Parliament of Canada; and yet it had been the constant practice to receive such petitions. He had himself presented a money petition from certain clergymen of the Church of England. It was objected that the petition could not be received, but the objection was overruled and the petition was received. He afterwards moved its reference to a Committee, and on the Committee reporting favourably, the Government acted on their report and recommended a grant. That was the practice under the same rules and the same state of law as now existed, and the only question was whether a new practice should now be established.

**Hon. Mr. Holton** said the old practice was an evasion of the law. He hoped a new practice would be established in conformity with the law.

**Hon. Mr. Rose** expressed himself in favour of the practice of the English Parliament being adopted. As the matter was one, however, of considerable importance, he would suggest that the question be allowed to stand over till to-morrow.

**Mr. Mackenzie** saw no objection to postponing the question if Government were clear that the ruling should be in accordance with the actual state of the law.

**Sir G. E. Cartier** said that the Speaker, before giving his decision, was entitled to an expression of opinion on the part of members. The Government, as a Government, had not considered the question, and the Speaker, he thought, would be entitled to their views on it, which would be given to-morrow.

The decision was postponed.

## NEW LIGHT HOUSES RECOMMENDED

**Mr. Fortin** presented a report from the Fisheries Committee recommending the erection of fifteen new light house and beacon lights in lower ports and lakes, and insisting on such lights at Bird Rock in the Gulf of St. Lawrence, and Red Island Reef in the St. Lawrence; also the establishment of a new system of fog-horns, bells, guns, and other apparatus for fog or storm; also a drawback of duty on cordage, canvas and chains when imported for fishing purposes.

## HEMLOCK TIMBER

**Mr. Pope** presented a report from the Special Committee on hemlock timber. The Committee reported that they felt it their duty to urge on the Government that an export duty of one dollar a cord be imposed on hemlock bark to prevent the wholesale destruction of our timber forests now going on.

## MONTREAL EAST ELECTION

**Mr. Blake** presented the final report of the Montreal East Election Committee. The Committee found—first, that the sitting member, **Sir G. E. Cartier**, was duly elected; second, that the petition of Mederic Lanctot against the election was frivolous and vexatious; third, that the petition of the sitting member was not frivolous nor vexatious.

## EPISCOPALIAN CHURCH

**Hon. J. H. Cameron** introduced a Bill to permit the Bishops' clergy and laity of the

United Church of England and Ireland in the Provinces of New Brunswick and Nova Scotia to be represented in the Provincial Synod of said Church in Canada, and moved that said Bill be read a second time on Thursday.

**Hon. Mr. Holton** objected that it was a private Bill, which should have been introduced on petition, and should proceed as a private Bill. He said we had no Church in the Dominion established by law. The Bill concerns only a particular denomination, although a highly respectable denomination of Christians, and must be treated as a private Bill.

**Hon. J. H. Cameron** said the Synod Bill, which was similar to this, had been treated in the old part of Canada as a public Bill.

**Mr. Mackenzie** said that a Bill introduced in 1865 by the member for Welland for the sale of the rectories had been ruled out, on the ground of its being a private Bill. This was clearly more a private Bill than the Rectory Bill, because the latter involved the disposal of what was considered in some sense to be public property. But this Bill had no connection with any public interest, and must necessarily be treated as a private Bill.

**Hon. J. H. Cameron** said the Rectories Bill, after it had reached a third reading, was objected to, on the ground of its being a public Bill, and was thrown out on that account. Next session it was introduced, on petition, and was carried through as a private Bill. The Synod Act, however, was not brought in on petition. It was introduced and carried as a public Act.

**Hon. Mr. Holton** said as the point of order was not raised against the Synod Bill, its being carried as a public Bill formed no precedent. He would suggest that to allow the matter to be fairly considered, the motion should stand.

**Hon. J. H. Cameron** agreed to let the motion stand, which he did the more readily as he did not intend to have the Bill carried this session. He wished to have it printed and distributed through the Lower Provinces before asking the House to pass it next session. If the Speaker should rule this to be a private Bill, he would withdraw it, and have it reintroduced on petition.

The motion was allowed to stand.

#### COPYRIGHTS

**Hon. Mr. McDougall** introduced a Bill respecting Copyrights.

[Mr. Cameron (Peel).]

#### NOVA SCOTIA BANKS

**Mr. Savary** introduced a Bill respecting Banks in the Province of Nova Scotia.

#### MUTUAL INSURANCE COMPANY

**Mr. Rymal** introduced a Bill to amend the Act incorporating the Canada West Farmers' Mutual Stock Insurance Company.

#### A QUESTION OF PAIRING

**Hon. Mr. Dunkin** (before the orders of the day were called) stated that on Friday night he had paired with Mr. Gaudet on Mr. Holton's motion, but in the division Mr. Gaudet's name had been taken down in error.

The error was ordered to be corrected.

#### MERCHANTS' BANK OF CANADA

On motion of **Hon. Mr. Holton**, in the absence of Mr. Abbott, the Bill to confirm the amalgamation of the Commercial Bank of Canada and the Merchants' Bank was read a third time and passed.

#### RECIPROCITY TREATY

In reply to **Mr. Webb**,

**Sir J. A. Macdonald** stated that since the House of Commons was in session last Fall the Government had had no communication with the Government of the United States respecting the renewal of the Reciprocity Treaty.

#### WILLIAMSBURG CANAL

In reply to **Mr. Ross (Dundas)**,

**Hon. Mr. McDougall** said it was the intention of the Government to make some improvements on the Williamsburg Canal, the effect of which, he was told, would be to increase the water supply.

**Mr. Jones (Grenville)**, seconded by Mr. Scatcherd, moved a "resolution declaring it for the interest of the Dominion that the number of His Excellency's advisers to whose offices salaries be attached should not at any time exceed nine," and in doing so said he had felt that some one better able to do the subject justice, and to move in the matter with greater effect, should have done so; but as none such had appeared he could not allow the Session to pass without at least raising his voice against the extravagance which seemed to be the order of the day. The time of inaugurating a new system was the most

favourable for the introduction of economy. The Hon. Minister of Justice had said that even if we commenced on a cheap scale extravagance would creep in; but it must be much more alarming if the Government continued to organize departments, with the extraordinary expenses which they necessarily entailed. Two gentlemen from New Brunswick might be necessary to represent that Province in the Cabinet, and the same from Nova Scotia, and his resolution did not confine the number to that or even double that. It only provided that those to whom salaries should be paid should be limited to nine. When Confederation was carried the impression had gone abroad that the expenses of the General Government—all local matters being delegated to the Provincial Governments—would not be so great as in the old Province of Canada, but no one could look at the great increase in the public accounts since that event without alarm. The estimates were ingeniously got up. The salaries did not appear to be so greatly augmented; but the contingencies attached to the Departments were something enormous, and it was preposterous that 100 more employees should be made a charge upon this Dominion than were employed at Washington. The idea that the wisdom of New Brunswick and Nova Scotia in the Cabinet was necessary to represent the people of those Provinces was falsified by the fact that with their advice, the legislation of the early part of the Session had only produced discord in the one and partially alienated the others. The Stamp Act, the tariff and the tax on newspapers had been utterly repudiated by the people of those Provinces, who were supposed to be represented in the Cabinet, while the entire change of policy on the part of the Government during this part of the Session had gone far to alienate the people of Ontario, and it would not be surprising to see them follow the lead of the member for Lambton and join the members from the Maritime Provinces in Opposition. The same argument would apply to New Brunswick. The honourable and gallant knight at the head of the Government had, by way of illustration, referred to the action of two eminent English statesmen, Sir James Graham and Sir Charles Wood. He could not imagine how such an analogy could be drawn from such a direction, as would answer the purpose of the Government. For example, the honourable Finance Minister could scarcely plead that he needed any assistance to enable him to conduct control of a navy, a failure

sufficient to invalidate his argument, and show that his cases were not parallel. The facts of English precedent were simply these: It had been found that there were two important Boards which were not responsible either to the Ministry or to Parliament, the Navy Board and the Indian Board, and it had been rightly judged that it was necessary to make them responsible. Here we had no Departments, not strictly responsible to the Ministry and the people, and the multiplication of offices had effected no object similarly called for. The head of the Customs is no more responsible than the Finance Minister, and it is to the House that the Minister for Inland Revenue also is responsible, not to the Finance Minister. But the Admiralty Board was responsible to the head of the Board, so that here the attempted analogy failed. There had, however, been one most important reformation introduced by Sir James Graham which was worthy of all imitation. He had effected such a reduction of salaried officers, (of 37 superior and 25 inferior officers; of 5 Commissioners, 3 Secretaries, and 54 Clerks) as resulted in a saving of 19,000 pounds. This was a part of his administration to which the honourable and gallant knight had not chosen to allude, but it was one which was most important to the country at large. He had, however, made other allusion to Sir Charles Wood, Secretary for Indian Affairs. He (Mr. Jones) would ask any honourable member to say what analogy existed between the Secretary for India and our Finance Minister. The Secretary for India was not merely the head of a Department, he was the head of a great Empire; an Empire of 135,000,000 of population held by half the whole British army, by a standing force of 71,000 men. If the whole of the United States were to be joined to Canada, and the aggregate then multiplied by four, then indeed between the Governor-General, and the Secretary for India some comparison might lie, but the duties of His Excellency would require to be at least five times as great as they were at present before it could be fairly instituted. There was, however, one remark of the honourable knight, which was worthy of attention, and might be regarded as the only practical one really touching upon the question. It had been thrown out by way of encouragement to the leaders of the Opposition, and was of such encouragement that he scarcely expected their support upon the present motion. The honourable gentleman had told leading members opposite him, that

if they were to be blessed with a continuance of good health, (and he might indeed have added with long life, for a long time would apparently be necessary for such a result), they might expect to hold office themselves, and that with this consideration they could not wisely consider it advisable to touch the Departmental arrangements by which they would one day find themselves relieved from all small business of detail. He might be permitted to suggest that if Ministers were not to be expected to familiarize themselves with points of detail, and to give information upon them when asked for it, it would be well to form a Board of Clerks, perhaps one Board of Minor and one of Major Clerks, to whom reference might be made upon subjects of greater or lesser importance. The Minister of Militia had pursued a different argument, and he must agree that if he (Sir George) could not make a question clear, it must be from the weakness of his position, and from no fault of his own, whose industry and capability were exhaustive. The Minister of Militia had told him that in perfecting the departmental arrangements the territorial element must necessarily be taken into consideration. If so, it had not been observed closely. Two members of the Cabinet had been taken from Montreal, while there was not one to represent the eastern townships. Quebec had furnished one, but from between Quebec and Montreal there had not been any. It was the same in Ontario. In the little town of Kingston, a city he believed, but certainly a very small one, there were to be found two, and in Toronto one, but in the whole Ottawa district and through the whole western peninsula and the Georgian Bay district, the most productive section of the West, there had not been one Cabinet Minister selected. Then it had been urged that the element of nationality must be regarded, and he (Mr. Jones) might say that he would never like to see any Cabinet where the French population were unrepresented. They were the worthy descendants of a noble race. Nor, he might add, would he wish to see the Minister of Militia occupying any lesser place. But there was more than one very important nationality overlooked altogether. England and Wales had no Cabinet representation, while the smallest of the component sections of the United Kingdom had no less than four. The Irish element was similarly disregarded. That element numbered 600,000, or nearly half the population of Ontario. How was it that the principle maintained in Quebec had been

[ (Mr. Jones (Leeds & Grenville). ]

abandoned in Ontario? Was it that the Irish element possessed no members worthy of such position, or was it by accident. By the latter perhaps, but, if so, by an accident regularly recurring when a particular person was at the head of the Government. (Laughter). Coincidences of so constant a character acquired the dignity of natural laws. (Laughter.) He had, however, hoped that from the Dominion Government we should have heard less of national distinctions. We had hitherto been always necessarily a heterogeneous people, but he had hoped that we might have now at least begun to assume homogeneous character. Referring to the great increasing expenses of the Government he went on to compare the out-lays of recent years. The civil list of 1851 had amounted to \$132,412, and that of 1867 to \$375,179, while in 1868 it had come up to \$605,169, and for 1869 was to be swelled to \$651,366, showing since '67 an increase of \$188,269, entirely independent of the large subsidies to Quebec and Ontario. What was to be the goal of such a progress? The cost of governing three and a half millions of people amounted to more than the whole expenses of the Government at Washington. It might be said that we should not look to Washington for examples, but he considered that we were right to look in any direction where economic Government was being carried on. Then in the Militia Department we had an increase of 1868 over 1867 expenditure of \$18,045, and on this point he could assure honourable gentlemen opposite that much dissatisfaction prevailed in Ontario. Volunteers were willing and were able to do all the duty, but they were badly paid, and large sums which should properly go to them had been used in the maintenance of a useless staff at Ottawa. Then again in the Finance Department, there was greatly increasing expenditure (Hon. Mr. Holton. Hear, hear.) \$59,091 in 1867, had been swelled to \$75,012 in 1868, an excess of \$15,921; that would be bad enough in itself, but contingencies had to be considered in addition, and indeed, he thought the Government might as fairly and more conveniently propose every contemplated increase under one lump contingent sum. These with customs \$41,622, and Inland Revenue \$25,000, made a total increase of \$93,000 in the Finance administration. Then the Secretary of State, including \$25,000 for contingencies, absorbed \$60,809. The honourable member went on to refer more particularly to the Ordnance Lands and Indian Branch of the Department, and after



some explanation from Hon. Mr. Langevin, maintained that their charges showed, as a matter of fact upon the estimates, an increase of \$4,641. He then proceeded to show the amount of saving to be expected by the abolition of four departments, and though for convenience of calculation, he would individualise these, he would not be understood as suggesting to the Government which might be most profitably dispensed with. However taken the following *pro forma*. The abolition of Customs would give \$64,622; of Inland Revenue \$49,486; of Secretary of State \$60,089; and of Public Works \$63,611, making a total saving of \$237,806. He might fairly include the latter, for, while not desirous to reflect upon its present head, he must say that if there had been one department more injurious to the country than another it had been that of Public Works. Every work with which they ever had to do had been a total failure. They were just competent to initiate, but never to complete. In every case it had been necessary to call in arbitration. The Grand Trunk Railway had been constructed under the supervision of the Government, and every difficulty under which it had been since found to labour had been the result of its defects of construction. Ignoring the two most important railway considerations, straightness and evenness of grade, the engineers, of whom one was the Department's, prolonged the line for which they were payed per mile by running round every obstacle they encountered, till the road ran altogether in Horgarth's line of beauty, while the gradients of Government supervision were so steep as to make it necessary for engine drivers to back up one hill to gain momentum to carry them forward on the next. The department was also responsible for the Chats Canal, the most extraordinary work of any country, a mere hole in a rock without outlet or inlet, out of the line of the Ottawa Ship Canal, and the cost of which might as profitably have been sunk in the St. Lawrence. The Houses of Parliament, also constructed under Board of Works supervision, and the cost of which had been estimated at \$678,000 had involved an outlay of close upon \$3,000,000, the contractors having been paid \$48,000 in excess, and arbitration having amounted to \$30,000. The Public Works Department had therefore, he contended, squandered more money, and exhibited more incompetence than any other. In conclusion, the honourable member would not go on at any greater length to enlarge upon his subject, but would appeal to honourable

members to say whether it were possible for the country to maintain such a rate of expenditure much longer. He did not bring his motion with any desire to displace Ministers; it was the system not the administrators that he objected to, and if there were to be 13 offices maintained, would as soon see them filled as at present as by any gentlemen from his own side. He believed, however, that seven or even five might be made sufficient, but allowing as many as nine, had so indicated the means of saving to the public Treasury \$237,800 yearly. In the time he had occupied, he had endeavoured to touch as many points as he could pertinent to the object he had in view, which was in the interests of the country; and thanking the House for the amiable manner in which they had listened to him, he took his seat.

Amid cries of "question," "divide," etc., the Speaker declared the resolution lost on a division.

#### CLAIMS FOR LAND USED FOR DEFENCE

Mr. Blanchet moved an address for a statement of claims submitted for the decision of the Provincial arbitrators of the former Province of Canada, consequent upon the appropriation of land required for military defence in the county of Levis. In moving for the address the honourable gentleman said that in his part of the country public opinion was strongly in favour of the right of appeal from the decision of the arbitrators.

Hon. Mr. McDougall said that as the Act previously stood, the right of appeal from the decision of the Provincial arbitrators to the ordinary courts of law had been limited to the Province of Quebec. In the United States, the decision of the arbitrators was final. He thought that the experience of the various Governments of this country in dealing with questions of this kind that came before the Provincial arbitrators, showed that it was not in the public interest that appeals in that class of cases should be permitted. Take for instance the case of the Beauharnois canal. Various claims had been made by owners of property along its route for damages to their premises, and in one case where the decision of the arbitrators had been appealed against, a judgment had been obtained against the Province for a large sum, something like \$50,000. The opinion of the public officers and of those who were not interested in the case was that the parties in whose favour the judgment had been recorded were not justly

entitled to it, but succeeded, because owing to the length of time which had elapsed, or in some other way the department could not produce the necessary evidence. It seemed to him that the system at present, which made the arbitration final, was the best one in the interest of the public. It offered security and justice in the class of cases likely to come before it. The only result of allowing further appeals would be to delay decisions on questions until the evidence had been lost. So far as his experience went, and he had had some experience as a Provincial arbitrator, he found that nine out of ten of those old cases which had been revived and brought before the Courts of Law had no merit in them, and the public had, on more than one occasion, to pay large sums to persons who were not really entitled to the money. As to the motion for the return asked for, Government had no objection to it.

**Mr. Mackenzie** quite concurred in the remarks of the Minister of Public Works on this subject. The abuses consequent on the location of public works had been so extensive that attention had been frequently drawn to them, and it was quite clear that every possible check should be applied to such practices. He was astonished at the statement that \$50,000 had been paid on one of these claims, and said it was questionable whether the Government ought not to have carried the matter to a still higher tribunal. They had been constantly paying for damages claimed by persons living along the line of the Beauharnois Canal; so much so, indeed, that already it was said that fifty times the actual value of the land through which the Canal ran had been paid.

**Mr. Kirkpatrick**, as a member of the old Provincial Board of Arbitrators, said they had given no decision in the case of the Beauharnois Canal.

**Mr. Blanchet** in reply instanced a case of great hardship, and said that the people in his part of the country were strongly in favour of the right of appeal to juries, as was the case in France and England. Even if the Government should lose 100,000 pounds, it was better so than that a private person should be wronged out of a single cent. (Laughter). At any rate he expected the present Government to be more reasonable than gentlemen opposite had been when they were in power.

**Hon. Mr. Holton** thought that in the peculiar sense meant the honourable gentleman

[Mr. McDougall (Lanark North).]

would find the Government exceedingly reasonable. In the case of hardship spoken of, the person probably tried to speculate on the necessities of the Government, by purchasing land he knew they must have. He had known such cases.

**Hon. Mr. Johnson** said juries invariably gave decisions against governments and corporations, whether right or wrong.

After a brief reply from the mover in explanation, the motion was carried.

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

**After the recess,**

**Hon. Mr. Holton** moved for an address praying His Excellency to withhold his sanction from the Bill to incorporate the St. Lewis Hydraulic Company, passed by the Legislature of Quebec. The honourable gentleman explained that his object was to draw the attention of the Government to a matter of very considerable importance. He knew the difficulty of drawing the line closely between the jurisdiction of the local and general Legislatures, and therefore was anxious to hear an expression of opinion from the Government on a matter of this importance. The motion he was about to place in the hands of the Speaker related to an Act which had failed to receive the sanction of the Lieutenant-Governor, and concerning which the fair inference was that the Government of the Province of Quebec had great doubts as to the propriety of allowing the Bill to become law. He thought he might even be justified in the further inference that the Government had occasioned it an improper Bill to pass. His only object was to call the attention of the Government to the matter, and obtain from them an expression of opinion on the subject.

**Hon. Mr. Johnson** dreaded a conflict between the Local and General Legislatures on these matters.

**Hon. Mr. Galt** said that they could not possibly act in this matter without having the Bill before them.

**Mr. Shanly** trusted the address would be granted.

**Sir John A. Macdonald** was glad his honourable friend had brought this matter up, as the subject was one of great importance. This was a measure which affected one of the greatest properties they had—the River St.

Lawrence. It was therefore a subject on which the Government were justified in not acting hastily. It was obvious that this was of a class of motion which ought not to be encouraged. It ought only to be moved and approved of by Parliament where a strong case had been made out. In such a matter it devolved on the general government to see first whether the local government had acted in excess of its jurisdictions; secondly, if the matter were within the local jurisdiction, whether it involved anything so much at variance with the great interests of the Dominion that the advisers of His Excellency would assume the responsibility of refusing the Royal assent. It was highly inadvisable that the action of the Local Parliaments should be supervised or checked by the General Government. (Hear, hear). The only two cases in which such interference would be justifiable were in the first place where in the opinion of the Responsible advisers of His Excellency, there was an excess of jurisdiction. Then if the General Government think so they are bound to say so, and disavow the measure. Secondly, if a case should arise where, though the jurisdiction were undoubted, the effect of the legislation would be monstrosly prejudicial to the Dominion as a whole, or contrary to the first principles of legislation. (Hear). In every way possible it was well to discourage interference with the Local Parliaments.

**Mr. Blake** was very glad to hear the statements of the leader of the Government on this question of jurisdiction. He quite agreed with the honourable gentleman that to render the interference of the General Legislature justifiable, the case must be an extreme one.

**Hon. Mr. Holton** having obtained that which he sought in moving this motion, withdrew it, with the consent of the House.

#### C.B. AND K.C.B.

**Hon. Mr. Holton** moved that the answer of the Secretary of State to an inquiry respecting the incompleteness of the return to an address of the house for copies of correspondence in reference to the honours conferred by Her Majesty on certain members of this House be entered in the Journals.

**Sir G. E. Cartier** presumed that the mover of the motion was aware that there was no precedent for such a proceeding. If the Government were to consent to such a motion, all sorts of things might by-and-by come to be inserted in the Journals of the

House, and it would not be correct to allow such a practice to creep in. The Government would not sanction such a proceeding.

**Hon. Mr. Holton** was aware that it would not be convenient that ordinary answers to ordinary questions should be inserted in the Journals of the House, but this matter hardly came within that category. Of course, if the Government resisted the matter they would get a majority, and he did not, therefore, think of dividing the House on the matter.

Lost on a division.

#### THE NEW MEMBER FOR MONTREAL WEST

**Mr. P. M. Ryan** the newly elected member for Montreal West, was introduced by Sir G. E. Cartier and Mr. Workman, and took his seat.

#### EXTRA PAY TO EMPLOYEES

**Mr. Wallace** moved an address for return of employees receiving annual salaries who are paid for extra or other services. Carried.

#### ST. PETER'S CANAL, CAPE BRETON

**Mr. E. M. McDonald**, in the absence of Mr. Croke, moved an address for copies of reports, etc., relating to the St. Peter's Canal, Cape Breton. Carried.

#### PARLIAMENT BUILDINGS

**Mr. Mackenzie** moved an address for a statement showing the particular items of work on the Parliament Buildings, paid for at schedule rates, and those paid for without application of schedule rates. Carried.

**Mr. Mackenzie** moved an address for copies of contracts entered into with Robert H. McGreevy, for work on the Public Buildings at Ottawa. Carried.

#### ROAD TO RED RIVER

**Hon. Mr. Carling** moved for reports by surveyors or other officers employed to construct roads and other works, for the purpose of opening communication between the head of Lake Superior and Red River. Carried.

#### ABDUCTION OF ALLAN MACDONALD

**Mr. Mackenzie**, on his motion being called to refer the returns to an address for papers relative to the forcible abduction of Allan

Macdonald to a Special Committee, asked if there had been any further correspondence on this subject, and if Government were prepared to bring it down.

**Sir John A. Macdonald** said there had been further correspondence, and he supposed there would be no objection to bringing it down. He would give a positive answer as to this to-morrow. He might state, however, that the British Government had communicated with the Ambassador at Washington, and instructed him not to act in such cases without previous reference to the Governor-General of Canada. (Hear, hear).

**Mr. Mackenzie** said he had attained the object which he had proposed by this motion. His object was to bring on a short debate, with a view to ensuring that we might not again be placed in the position in which we had been placed by the recent action of the British Ambassador at Washington. As the British Government had taken precisely the same view of the case as our own Government had done, it would not serve any good end to discuss the matter further now.

The motion was then dropped.

#### THE GOVERNOR-GENERAL'S SALARY

**Mr. Oliver** moved for Committee of the Whole for Friday next to consider a resolution declaring it expedient to alter the provision made under 105th Sec. British North American Act, 1867, and to fix the salary of His Excellency, the Governor-General at \$35,000 per annum.

**Mr. Dufresne** moved, in amendment, to strike out \$35,000 and insert \$30,000.

**Mr. Oliver** said he had put in the sum of \$35,000 in order to meet the views of gentlemen on both sides of the House.

**Mr. Masson (Soulanges)** said he would vote for the amendment of the member for Montcalm; but he wished to ask the Government whether it was true that orders had been given to fit up Spencer Wood for His Excellency, and whether we were to furnish and keep two residences for the Governor-General.

**Sir John A. Macdonald** said the honourable gentleman should have waited for an answer to his question before announcing his intention to vote for the amendment of the member for Montcalm. It was not the present intention of the Government to furnish two

[Mr. Mackenzie (Lambton).]

residences for the Governor-General. The Government would make him one good residence.

**Mr. Masson**—Then what we have read in the public papers is false?

**Sir John A. Macdonald** said the first he had heard of the statement referred to by the member for Soulanges was his reading it in a newspaper to-day. With respect to this motion by his honourable friend opposite, and the motion in amendment, he must say he regretted exceedingly that this question had been brought up. He thought it would have shown a wise discretion to have left it as affixed in the British North American Act. It would have been more for the credit of Canada to have done so. Formerly, the Sovereign paid the salaries of Colonial Governors out of Crown revenue of the colonies belonging to the sovereign. When these revenues were given up to Canada, it was on condition that the Colony should pay the Governor's salary, and this not by an annual vote, but by a permanent enactment. In 1841, Canada, which had then a much smaller population than now, fixed the salary in accordance with the Union Act at 7,777 pounds currency. Looking at the large increase to her population which had since taken place, and the present and prospective addition of other Provinces to the old Province of Canada, he did not think \$50,000 was too much. It should be remembered that this salary was the only return the people of Canada gave for all that England did for this country. If we took the course now proposed, it would be felt in England that we were not acting fairly, justly, or generously, and that we were not realizing the position in which England had placed us. So long ago as 1851, the then Colonial Secretary, Earl Grey, urged that the salary of 7,000 pounds sterling was not sufficient to afford a temptation to any of those who had taken a leading part in public affairs at home to abandon his position there in order to accept this office. A public man in England sacrificed a great deal when he became a Colonial Governor. He knew that when he returned after five years, he would be in a great measure forgotten, and the avenues to further preferment in a manner closed against him. Lord Elgin came here chiefly because he was not a wealthy man, and the abilities he afterwards displayed had not then been developed. On his return to England, in consequence of his connection with certain public men, he was elevated to a much higher position for which he proved

himself fully qualified. Having referred to Cathcart, Bagot and Metcalfe, he said that Sir Edmund Head, after having filled subordinate Government positions in England, was appointed Lieut.-Governor of New Brunswick, and from that position, much to his own surprise and that of the people of Canada, was raised to be Governor-General of Canada. No one from his antecedents, or the weight he possessed in England, could have anticipated such a thing. The present holder of the office was entitled to every respect. He had not, however, in England held a position which it might be thought a man should have held who was qualified to be the Governor-General of Canada. He then proceeded to state the salaries paid to a number of other Colonial Governments, to show that, in proportion to the population and importance of those colonies, they were generally greater than here. In Mauritius, with a population of 1,183,000, there was a salary equal to that paid to the Governor-General of Canada. In new South Wales, the salary was 7,000 pounds sterling. In Victoria, Australia, with a population of 550,000, the salary was 10,000 pounds sterling.

**Hon. Mr. Holton** inquired whether the clause in the Union Act, with reference to the Governor's salary, was the work of our own delegates, or was inserted there in compliance with the expressed desire of the British Government. If it was the work of our own delegates, our own representatives, we were as free to change that provision of Union Act as we were to change the provisions of any Act of our Parliament; but if it was inserted at the desire of the British Government, formally expressed, then he thought we were bound to respect that desire and to carry it out, even though the amount should be \$100,000 instead of \$50,000.

**Sir J. A. Macdonald** said he thought then the honourable member for Chateauguay should recommend his honourable friend from Oxford to withdraw his motion. It was true there had been no formal statement of a desire on this point on the part of the British Government, but it was equally true that this clause, as every other clause, was the subject of conference and agreement between the Imperial Government and the Colonial Delegates. They had met day by day at the office of the Colonial Minister. Clause by clause was read and there was a continual interchange of opinion between the delegates and the Government as to every one of these clauses. He did not say that the Imperial

Government recommended this sum, but he did say that this clause with the other clauses was submitted to the Imperial Government, and that they accepted it at the hands of the delegates after full conference. The clause now in the Bill must be considered as the deliberate arrangement between the Imperial Government and the representatives of the several colonies; and although he could not say so as a matter of fact, yet he was as satisfied of it as that he was here, that if the delegates had proposed to fix the salary at 7,000 pounds sterling this would have been strongly objected to by the British Government.

**Hon. Mr. Johnson** said he did not wish a shred of the Union Act altered, and therefore he should vote against any reduction of the Governor's salary. He could not, however, acquiesce in the Tory doctrine laid down by the Premier when he spoke of the Crown revenue. These no doubt had belonged to the Crown, but they had to be administered in accordance with the advice of responsible ministers. He (Mr. Johnson) held that these revenues belonged to the people. The people held the purse strings and they must be administered by the Crown according to the advice of ministers responsible to the people. In the conference he had gone for 8,000 pounds, but was overruled, and the compact having been made, he did not wish it to be broken in any particulars.

**Dr. Parker** said that if the salary were allowed to remain at its present rate, as advocated by the Minister of Justice, hereafter it would be held that Parliament thought the present the fitting remuneration. As to reducing it hereafter, that would be found next to impossible. If it were to be reduced, it must be now or never. He did not agree with the Minister of Justice that the question was merely one of money—that all they had to do was to go into the English market and buy a Governor of the capacity we desired—that in proportion as a better or worse price were paid, would a better or worse representative be had. There was one point which could not be lost sight of, and that was that the wishes and interests of the people ought to be considered. Looking at the resources and future of the country, he maintained that the salary of \$50,000 was altogether too high. It certainly was one not regarded as satisfactory by the people.

**Hon. J. H. Cameron** could not agree with the honourable gentleman. He (Mr. Cameron)

felt it was not so much that the salary of the Governor-General should be cut down as that the miserable pittance allowed to the Lieutenant-Governors should be increased. Would it not be a breach of faith, after the agreement entered into with the delegates in the first session of Parliament, to cut down a salary fixed in the Union Act? Considering all the circumstances of the Dominion, he did not think it could be said that the salary of the Governor-General was too high; and it was, he believed, unwise and inexpedient to deal with this matter in the manner proposed. He hoped, therefore, that the motion before the House would be withdrawn.

**Mr. Blake** said that as they had the power to make this change, he did not see why they should be told that they should not exercise that right. The Act itself furnished a strong indication that this sum was merely a temporary and not a fixed sum. As had been remarked, that sum of \$50,000 did not comprehend all the pecuniary advantages of that position. The fact was that even cutting it down as was proposed, it would still with contingencies reach the handsome sum of \$50,000. Although perfectly agreed as to the importance of not paring down the salary too closely, yet he was bound to say it was not the question of a few additional thousand dollars which should induce a statesman to accept the position of Governor-General, but it was the career and position it opened up that should determine the choice of such an important office. Looking at the present financial conditions and prospects of the Dominion he thought the member for Oxford had done his duty in bringing forward the motion, and it would obtain his (Mr. Blake's) support.

**Hon. Mr. Rose** said that in view of the fact that this sum was embodied in the Imperial Act, it would be, to say the least of it, an ungraceful act for them at this their first session to cut down the salary of the only imperial officer they had to deal with, and he could not see that any valid reason for the reduction had been advanced.

**Hon. Mr. Gray** strongly opposed the sudden alteration of the Union Act here proposed. It had not yet had a twelve months' trial, and honourable gentlemen sought to change it. Such a course could not but have a prejudicial effect on the English mind, and was not worthy of the Dominion. At all events give the present arrangement a trial of a few years, and then if it were not found to work well let it be reduced. Such gentlemen as the

[Mr. Cameron (Peel).]

Governor were all representative men, called on to dispense the hospitality and maintain the honour and dignity of their positions, and therefore men who should be remunerated in no grudging spirit. He (Mr. Gray) hoped the motion would be withdrawn.

**Mr. Bodwell** hoped his honourable friend from North Oxford would not consent to withdraw the motion. Now-a-days the great argument was—do not give offence to England. Honourable gentlemen seemed to forget they were the representatives of a poor people already heavily oppressed by taxation, a people to whom the saving here proposed was one of considerable importance, and as had been properly remarked, this sum of \$50,000 was not His Excellency's full allowance—he had various additional remunerations, such as raised this the nominal sum attached to the office to a very large amount. His (Mr. Bodwell's) idea was instead of it being an inconsistency for them to take up this subject during the present session, that now or never this charge should be made. This payment, it was urged, should be made, as the amount for fortifications was asked to be paid, because of our connection with the Mother Country, because of the advantages that connection gave the people of the Dominion; but mention was never made of the disadvantages of that connection. Was it not the connection of the Provinces with Britain which drew on them the Fenian raid of 1866? He appreciated that connection as fully as anyone could, but thought that very indifferent arguments had been occasionally based on it by honourable gentlemen opposite. For his part he thought that the honourable member who had brought forward the motion deserved much credit, and he (Mr. Bodwell) would support the resolution.

**Sir G. E. Cartier** considered that it would be both unwise and unjust to disturb the arrangement of the British American Act as to the Governor-General's salary. The member for Chateauguay had said that if he were satisfied that the sum fixed in the Act had been placed there in accordance with the desire of the British Government, he would be the last man to disturb the arrangement, and such an expression of opinion on his part did the honourable gentleman credit. It had been charged against the delegates, that in specifying the salary in the Act, they had infringed on the privileges of this Parliament. That charge was unjust, their action was simply a fair return for the conduct of the

British Government, in not insisting on the civil list being a first charge on the revenues of the Province.

**Hon. Mr. Holton** replied and remarked specially, that he had failed to hear from the mouth of either the Minister of Justice or Minister of Militia, any statement that the Imperial Government desired such a salary to be affixed to this office. If the Government had left the amount of salary unfixed, and represented the wishes of the Imperial authorities in the matter, then these matters would have been complied with. He did not believe that this raising of the salary would have the effect of bringing first-class statesmen to govern here. Such men never came here and never would while there were offices of far greater honour to be had—while there were empires like India to be governed. Wishing to affirm the proportion to reduce the salary, he would vote in favour of the motion of the member for Montcalm.

**Hon. Mr. Galt** adhered to the salary as fixed in England, believing it to be to the interests of Canada that the amount should remain thus fixed. As to the charge that fixing the amount had been a departure from the Quebec resolutions, he would say there had been necessarily a good many departures from those resolutions while the delegates were in England, but they had all been made in the interest of Canada. The object of fixing the salary as it at present stood was in order that the services of first-class men should be secured. If he remembered right, what was agreed on in England was that the Governor-General should receive 10,000 pounds sterling a year and a furnished house. This was to include all the emoluments attached to that office, and he (Mr. Galt) gave it as his deliberate opinion that reduction of the salary was not in the interest of Canada. To get a first-class man, it was necessary a liberal provision should be made for him—such an emolument as would enable him to maintain his position without being out of pocket. Besides, the present provision was for the ruler not merely of the present Confederacy, but of that Confederation which would yet extend from the Atlantic to the Pacific. Again, they must have a first-class man—one who would have weight with the Imperial Government, and such a man was not to be got by lowering the grade of the office of Governor-General, and leaving it open to be filled by a scramble in which only inferior men would join. He hoped the House would not interfere with the salary now.

**Mr. Jones (Leeds)** said that from some of the remarks it would appear as if they lived under a despotic Government, and that the people had very little to say in this matter. It had been strongly urged that unless the Dominion paid such a sum, a first-class man could not be got. Now he (Mr Jones) scorned all such mercenary considerations, and if they could not get a first-class man on other terms he would gladly do without the gentleman. A good deal had been said about aristocracy; but the specimen in England or this country were not such as to induce the people to regard them with much favour. He would far rather see nature's noblemen, and would expect far better service from them. He did not want to encourage the English aristocracy to come here and take root.

**Mr. Mackenzie** did not see that the instances cited of other Colonies in the Empire were at all in point. There were many considerations making the cases in those instances very different. On this occasion, he would vote as before for the sum of \$35,000, believing that to be a reasonable amount. He would not therefore vote for the amendment. It was to be regretted the Government had not taken this matter in hand, but it was quite evident that in all matters of retrenchment the present Government always suffered itself to be dragged at the heels of a Committee or some way or other was forced to fall in with the sentiments of the House. (Hear).

**Mr. Scatcherd** had no confidence in the professions of gentlemen on the Opposition side of the House. They said one thing and voted another. They professed retrenchment, and then declared they would oppose the motion for retrenchment made by the member for Montcalm. He (Mr. Scatcherd) would vote for that amendment.

**Mr. Rymal** said they had across the floor some fifteen able men toiling day and night, taxing their energies to the utmost in the public service—they were all behind hand in their work—(loud laughter)—yet these men, not one of whom would like to be styled second class (laughter) received only \$5,000 a year each. He did not believe that the Governor-General, doing little or nothing, ought to be paid as much as 10 of these first-class men. He had heard of one man being equal to nine tailors (laughter), but he would never believe this one man to be worth as much as ten of their own statesmen. He would vote for the amendment.

The amendment was then put and carried. Yeas, 90; Nays, 45.

Majority against the Government, 45.

The following is the division:—

**Yeas**—Messrs. Ault, Bechard, Benoit, Bertrand, Bodwell, Bolton, Bourassa, Bowell, Bowman, Brown, Burpee, Caldwell, Cameron (Huron), Cameron (Inverness), Caron, Cayley, Cheval, Cimon, Coffin, Colby, Connell, Costigan, Coupal, Croke, Daoust, Desaulnier, Dobbie, Drew, Fortier, Fortin, Gaucher, Gaudet, Geoffrion, Gendron, Godin, Hagar, Holton, Jones (Halifax), Jones (Leeds), Kempt, Kierzkowski, Lawson, McDonald (Antigonish), McDonald (Lunenburg), Macfarlane, Mackenzie, Magill, Masson (Soulanges), McCarthy, McConkey, McKeagney, McLellan, McMillan, (Vaudreuil), McMonies, Mills, Morison (Victoria, O.), Munro, Oliver, Paquet, Parker, Perry, Pinsonneault, Pope, Pouliot, Pozer, Ray, Redford, Renaud, Robitaille, Ross (Dundas), Ross (Prince Edward), Ross (Victoria, N.B.), Rymal, Scatcherd, Senecal, Snider, Sproat, Stephenson, Stirton, Thompson, Tremblay, Wallace, Webb, Wells, White, Whitehead, Wilson, Young—90.

**Nays**—Archambeault, Bellerose, Blake, Blanchet, Bown, Burton, Cameron (Peel), Carling, Cartier, Cartwright, Casault, Chamberlin, Chauveau, Crawford (Leeds), Currier, Dunkin, Galt, Gray, Heath, Howland, Huot, Jackson, Johnson, Keeler, Kirkpatrick, Langlois, Langevin, Macdonald (Sir J. A.), McDonald (Middlesex), Mackenzie, Masson (Terrebonne), McDougall, Morris, Morrison (Niagara), Merritt, Rose, Ross (Champlain), Ryan (Montreal West), Shanly, Simard, Simpson, Tilley, Walsh, Workman, Wright—45.

The Main motion, as amended, was then put and carried. Yeas, 108; Nays, 27.

Majority against the Government, 81.

**Yeas**—Messrs. Ault, Bechard, Bellerose, Benoit, Bertrand, Blake, Blanchet, Bodwell,

Bolton, Bourassa, Bowell, Bowman, Brown, Burpee, Caldwell, Cameron (Huron), Cameron (Inverness), Caron, Cayley, Cheval, Cimon, Coffin, Colby, Connell, Costigan, Coupal, Croke, Daoust, Desaulnier, Dobbie, Drew, Dufresne, Ferris, Forbes, Fortier, Fortin, Gaucher, Gaudet, Geoffrion, Gendron, Godin, Grover, Hagar, Holton, Huot, Jones (Halifax), Jones (Leeds and Grenville), Kempt, Kierzkowski, Langlois, Lawson, McDonald (Antigonish), McDonald (Lunenburg), Macfarlane, Mackenzie, Magill, Masson (Soulanges), Masson (Terrebonne), McCarthy, McConkey, McKeagney, McLellan, McMillan (Vaudreuil), McMonies, Mills, Morison (Victoria, O.), Munro, Oliver, Paquet, Parker, Perry, Pinsonneault, Pope, Pouliot, Pozer, Ray, Redford, Renaud, Robitaille, Ross (Champlain), Ross (Dundas), Ross (Prince Edward), Ross (Victoria, N.B.), Rymal, Scatcherd, Senecal, Snider, Sproat, Stephenson, Stirton, Thompson (Haldimand), Tremblay, Wallace, Webb, Wells, White, Whitehead, Wilson, Workman, Young—100.

**Nays**—Messrs. Archambault, Bown, Burton, Cameron (Peel), Carling, Cartier, Cartwright, Casault, Chamberlin, Chauveau, Crawford (Leeds), Carrier, Dunkin, Galt, Gray, Heath, Howland, Jackson, Johnson, Keeler, Kirkpatrick, Langevin, Macdonald (Sir J. A.), McDonald (Middlesex), McDougall, Morris, Morrison (Niagara), Merritt, Rose, Ryan (Montreal W.), Shanly, Simard, Simpson, Tilley, Walsh, Wright—36.

The House then went into Committee—Mr. Stirton in the Chair, and adopted Mr. Oliver's resolution, fixing the salary of the Governor-General at \$32,000 a year.

The Committee rose and reported the resolution, and the report was ordered to be received to-morrow.

The House adjourned, on motion of Sir John A. Macdonald, at one o'clock.



## HOUSE OF COMMONS

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Tuesday, May 5, 1868

The Speaker took the Chair at 3 o'clock.

### PENITENTIARIES

On motion of **Sir J. A. Macdonald** the Bill respecting Penitentiaries and the Directors thereof was considered in Committee of the Whole, Mr. Kirkpatrick in the Chair.

It was then reported, and read a third time and passed.

### COMMITTEE ON SUPPLY

**Hon. Mr. Rose** moved that the House resolve itself again into Committee of Supply.

**Hon. Mr. Holton** moved in amendment, seconded by **Mr. Mackenzie**, that all the words after "That" in the original motion be omitted, and the following inserted instead thereof—"That the recent constitutional changes have rendered it necessary to complete the organization of all branches of the public service throughout the Dominion; that in this organization the strictest economy should be observed, that all unnecessary executive departments and all superfluous offices should be abolished; that all executive salaries should be diminished; that all unnecessary or indifferent officers be removed; that the salaries of all officers of the Dominion Government of similar grades in Previous Provinces should be equalized, and that payment of salaried officers for special services should be forbidden by law." He said it seemed now to be the fixed determination of the House that there should be economy in the administration of public affairs. He had the honour a few nights ago of presenting a resolution in this direction, and although it was not accepted by vote of the House, he had the great gratification last night of seeing one important part of it accepted by the House. Objection had been taken to his grouping several separate propositions in one motion. Objection had also been taken in the mode in which he proposed to deal with the subject. Endeavouring to profit by the discussion on that occasion, he had now framed a motion which he thought would meet the approbation of a large majority of the House.

Indeed he hoped his honourable friends opposite, in view of the discussions they had had, would at once acquiesce in it, and enable them to go into Committee of Supply with the declaration of principle which he now invited the House to make. A good deal had been said about motions in this form and in this connection being regarded as motions necessarily of want of confidence. He begged to declare that he did not bring forward this motion with that view, nor would he bring forward any motion having the effect of a vote of want of confidence. In England, every week, motions of this character and in this connection were put without ministers ever daring to insult the intelligence of the House by affirming that such motions were "ex-necessitate" motions of want of confidence. He would not delay the House by going over the points which in recent discussions had been debated so fully, and should therefore content himself with putting in the Speaker's hands the motion in amendment just read.

**Sir John A. Macdonald** thought the honourable member for Chateauguay ought to be satisfied with recent legislation respecting economy. The present motion of the honourable member was a mere rapid declaration in favour of economy and efficient administration, and he (Sir John) did not know why on the present occasion these matters of efficiency and economy should come up before the House. There was neither reason, fitness nor purpose in the motion, and it could have no result that he could see further than to delay the business of the House. It was not specially germane to the matter before the House, and was altogether such a motion, was brought on at such a time, and showed such an evident desire on the part of the honourable gentleman to convey by a side wind a direct censure on the administration, that the Government could not with respect to themselves or their position accept the motion in any way than as a vote of want of confidence. Where was the necessity for the motion? The Government themselves had invited attention to the whole subject.

**Mr. Mackenzie** said it would be recollected that at a previous period, when the threefold motion to which allusion had been made

came up, several gentlemen supporting the administration declared their adherence to each of the three parts of the motion to a greater or lesser extent, but they had objected to the three-fold capacity of the motion, and in order to meet the views of gentlemen taking this particular ground the present motion had been framed.

**Hon. Mr. Chauveau**—Because honourable gentlemen opposite seem to become all things to all men.

**Mr. Mackenzie** said the motion had been framed for the convenience of those taking the particular objection alluded to. If, as the Government aver, this was part of the policy they proposed to adopt, then they could have no objection to the motion. The House had reason to believe that in reorganizing the departments the Government had not shown a due regard to economy, and it was of the last importance to the country, that the reorganization of the departments should be placed on a proper footing, and that they should have the opinion of the House to sustain and guide them in making the necessary organizations and initiating a proper policy. His own opinion was, judging from the number of departments created, and the excessive number of officers attached to them, that the Government were proceeding without that regard to economy which ought to characterize their proceedings. It was at the initiation of a new system that the best opportunities offered for placing matters on a proper footing, and it was merely with a view of having this done the motion had been proposed. If the Government continued to meet it as a vote of want of confidence, he could only say that he looked on such conduct as trifling with the business of the House and the country.

**Sir G. E. Cartier** strongly opposed the motion in French, urging on his followers to resist it as one aimed at the Government.

**Mr. Dufresne** was sorry the member for Chateauguay had brought this measure forward. It only caused a delay of the business of the House, and all that was asked for by it would be obtained by the Government measures before the House.

**Hon. Mr. Chauveau** congratulated the Government on their manly and straightforward course on this motion. He believed that a necessity existed for economy, and hoped to see the House follow after it, but from his heart he detested the spasmodic outcry peri-

odically made for retrenchment, for over and over again it had been shown to be a piece of humbug.

**Dr. Parker** charged the Government with pursuing a career of reckless extravagance, and maintained that on this question as on that of the Governor-General's salary, the Government ought to allow their followers to act as they pleased. But the Government make this a vote of want of confidence, and violently appeal to their adherents to rally to their support. He would vote for the motion.

**Hon. Mr. Fisher** said that there was a proposition contained in the motion before the House which, coming as he did from New Brunswick, he could scarcely oppose. He alluded to the discrimination against New Brunswick made in the salaries; he objected to the Government making this motion a want of confidence, and said he would vote for it.

**Mr. Bolton**, with the understanding that the Government would take up the matter alluded to in the motion at an early day, and apply a remedy, would vote against the amendment.

The House then divided on the amendment, which was lost—yeas 36; nays 94.

**Yeas**—Bodwell, Bourassa, Bowman, Burpee, Cameron (Huron), Connell, Coupal, Dorion, Farris, Fisher, Geoffrion, Godin, Holton, Kempt, Kierzkowski, McDonald, (Glengarry), Macfarlane, Mackenzie, McConkey, McMonies, Mills, Morison (Victoria), Oliver, Paquet, Parker, Redford, Rymal, Scatcherd, Senecal, Snider, Stirton, Thompson (Haldimand), Wallace, Wells, Whitehead, Young—Total, 36.

**Nays**—Ault, Bechard, Bellerose, Benoit, Bertrand, Blanchet, Bolton, Bowell, Bown, Brown, Burton, Caldwell, Cameron (Peel), Campbell, Carling, Caron, Cartier, Cartwright, Casault, Cayley, Chamberlin, Chauveau, Cheval, Cimon, Colby, Costigan, Crawford (Brockville), Crawford (Leeds), Desaulnier, Dobbie, Drew, Dufresne, Dunkin, Ferguson, Fortin, Galt, Gaucher, Gaudet, Gendron, Grant, Gray, Grover, Hagar, Holmes, Howland, Huot, Hurdon, Irvine, Jackson, Johnson, Jones (Leeds and Grenville), Kirkpatrick, Langevin, Langlois, Lawson, Macdonald (Sir John A.), McDonald (Middlesex), McGill, Masson (Soulanges), Masson (Terrebonne), McCarthy, McDougall, McMillan, Merrit, Morris, Morrison, Munroe, Perry, Pinsonneault, Pope, Pozer, Pouliot,

[Mr. Mackenzie (Lambton).]

Renaud, Robitaille, Ross (Champlain), Ross (Dundas), Ross (Prince Edward), Ryan (Kings), Ryan (Montreal West), Simard, Simpson, Sproat, Stephenson, Tilley, Tremblay, Walsh, Webb, White, Wilson, Wood, Workman, Wright—Total, 94.

The House then went into Committee of Supply, Col. Gray in the Chair—and passed the items—for the construction of Railway between Halifax and Pictou, \$200,000; construction of Railway between Windsor and Pictou, \$200,000; construction of Railway between Windsor and Annapolis, \$300,000; construction European and N.A. Railway, \$31,750. To meet stock in Western Extension, \$180,000; to meet subsidy in Western Extension, \$150,000; to meet subsidies to other lines, N.B., \$141,000; towards location Intercolonial Railway, \$50,000.

The next item was \$95,305.31 for canals.

**Mr. Mackenzie** said the sum had been spent without any authority whatever from Parliament. He regretted exceedingly that his honourable friend opposite (Mr. McDougall) should have thought it consistent with his honour as a Minister of the Crown to endeavour to smuggle a vote of this kind through Parliament for a work which Parliament had never authorized. It was an entirely new work.

**Hon. Mr. McDougall**—No.

**Mr. Mackenzie**—It was, and when the Government asked for money for public works in the early part of the session he declared there were no new works included in those on which the money voted was to be spent. In a case such as the present, according to Parliamentary practice, the Minister should ask for a Bill of Indemnity. The money had been all expended before the matter was brought under the notice of Parliament; and still further to blacken the transaction, he found that one James Goodwin, of Ottawa, got the tender for the work, although his tender was \$12,000 higher than that of others; and still worse, the department allowed Goodwin to break his contract, and whereas he agreed to do the work of excavation for \$1.20 per yard they now gave him \$1.50 merely on his own representation that he had lost money when he held the contract at \$1.20. The department made no inquiry, but quietly gave this man 30 cents per yard more than the fair paying price at which he had contracted to do the work.

**Hon. Mr. Johnson** agreed with the view the Ministers ought to have brought down a Bill of Indemnity in this matter.

**Hon. Mr. McDougall** reproved the member for Lambton for speaking dogmatically. The circumstances under which the work had been undertaken fully justified the action of the department. Action which had throughout been taken only after thorough investigation. In the first place the department had necessarily power to deal with these works without the authority of Parliament, so that it could not be said to be unconstitutional to spend money in advance of a Parliamentary vote. The work too was one of very great importance, and it was so necessary the repairs should be made, that private persons trusting to be reimbursed had undertaken the work. As to the tender, it was well known that numbers of persons tendered for public works at such rates as they could not possibly perform the work; for trusting that once the work was begun it would be pushed to completion and more money would be advanced. It was not advisable that any such contractors should get hold of the work, and hence it had been let, though at an advanced figure, to a responsible man.

**Mr. Currier** explained that if ever there was a work of necessity and one which would turn out profitable, it was this canal.

**Mr. Jones** took exception to the remark of the Commissioner of Public Works, that the tender had not been let to the other competitors because they were not responsible men. He denied that statement, so far at least, as some of the contractors were concerned. He objected to the mismanagement of the Public Works Department in this particular.

**Mr. Alonzo Wright** spoke of the immense trade coming through this canal, and thought the expenditure fully justified.

**Hon. Mr. Dorion** opposed the item.

It was carried, and the House rose at six o'clock.

**After the recess.**

The remaining items for canal, for harbours, \$11,000; slides and booms, \$10,000; Parliamentary and Departmental Buildings, \$55,000; Rideau Hall, including the purchase of the property and the furniture, \$122,000. This includes the lease for one year of eleven acres of land adjoining the hall, with option of purchase. Custom House, Quebec, \$3,000; being a reduction of \$1,000 on the sum in the estimates.

The item Montreal Post Office, \$4,000, was struck out, as some extensive alterations in that building are contemplated.

In the items of lighthouses, the sum for Point St. Laurent was made \$10,000.

The items for Nine Mile Point, Kingston, were struck out.

The remaining items under head of lighthouses were carried.

The item \$15,500 for roads and bridges was also carried with \$70,000 for arbitration and awards; \$58,000 rents and repairs on public buildings.

On the item \$10,000 for purchase of land for construction of hospital and quarantine station at Halifax.

**Mr. McDonald (Lunenburg)**, stigmatized the matter as a job and a fraud on the Dominion.

**Hon. Mr. Rose** said the Government would see that the Dominion got a fair return for its expenditure.

The item passed and the balance of items for public works, also items for lighthouses and coast services \$192,501.53, and for ocean and river steamer services, \$136,600.

The item \$13,400 for fisheries, Quebec and Ontario, passed.

On the item \$5,000 for salaries of about fifty-seven overseers, ranging from \$300 to \$400 each and of local officers and guardians, including their disbursements—it was objected that the maintenance of this service was not binding on the Dominion.

**Hon. Mr. Rose** said that in some respects they had extended to Nova Scotia the system that prevailed in Canada.

**Hon. Mr. Holton** thought it very extraordinary that the system which prevailed in Quebec and Ontario, where fishing was only a minor interest, should be extended to Nova Scotia and New Brunswick, where fishing was not a minor interest, and where, it was to be supposed, they had adopted a more efficient system for the protection of their interests than had been in use in Quebec and Ontario.

**Sir J. A. Macdonald** said that the Government would make inquiry into the matter, and if, as had been contended, the Dominion was not responsible for the maintenance of these overseers, the Government would be only too happy to be rid of the expense.

The item was carried.

As to the item under the head Fisheries, \$5,000—indemnity of fishermen who had acted under faith in existing law,

**Hon. Mr. Rose** said he wished it struck out, as the Government intended to discontinue the bounty system.

**Mr. Jones (Halifax)** claimed that this was a direct breach of faith by the Government, as they had led the people of the Lower Provinces to believe that the Bounty system would be continued and extended if Union candidates were returned. A dispatch to that effect had been forwarded to an official in the Lower Provinces by the Minister of Marine and Fisheries.

**Mr. Blake** laughingly exonerated the Government from the charges preferred by the member from Halifax. The charge was that the Government had broken faith, as they promised to extend the system of Bounties to Nova Scotia if the Union candidates were returned. Now the honourable gentleman making the charge was an "Anti", and hence it was clear that the Government was exonerated. (Laughter).

**Mr. Mackenzie** said that the famous dispatch alluded to ought to be produced. (Laughter). It would be quite a curiosity.

**Sir J. A. Macdonald** said he had just been informed that the dispatch in question ran thus—"I will press on the Government of the Dominion the extension to Nova Scotia of the Canadian system of Bounties."

The item was struck out.

The remaining items under the Fisheries were carried.

The item \$144,648.47, indemnities under Seigniorial Acts carried; also the item \$8,490 annuities and grants to Indians.

The following items then passed:—Culling timber, \$70,500; railway and steamboat inspection, \$12,162.

On the item included in the latter, of \$3,550 for railway inspection,

**Mr. Jones (Leeds)** said he never could understand what these overseers did. When an accident happened, they came along and made a report on the subject, but he never yet heard of a case in which an accident had been prevented by these inspectors. (Loud and continued laughter).

**Hon. Mr. Rose** said he never heard of such a case either. (Laughter).

The items amounting to \$50,368.42 under the heading Miscellaneous, were carried.

On the item \$520,016 for collection of Customs,

**Hon. Mr. Tilley** explained, in reply to Mr. Holton, that the percentage in the whole revenue collected was greater in Nova Scotia and New Brunswick than in Ontario and Quebec. Still the salaries of the officers were not so large in the former as in the latter office, for the performance of the same duties. How the greater expense came to attach to the Maritime Provinces in this matter was easily explained. Nearly three-fifths of the whole revenue of Ontario and Quebec was collected at one port, Montreal, and hence the cost of collection was cheaper than in the Lower Provinces, where the revenue had to be collected in 60 or 70 ports. It was his intention during the recess to see whether the number of these smaller ports in Nova Scotia and New Brunswick, and elsewhere in the Dominion, could not be reduced without impairing the efficiency of the public service.

**Mr. Anglin** said the promises of retrenchment and economy by the Ministry sounded very hollow in the ears of the Lower Provinces. Instead of a cheaper system, as had been promised under Confederation, there had been a large increase in the numbers and salaries of Customs Officers in the Lower Provinces of and about the 1st July last.

**Mr. Mackenzie** said the customs collection at Quebec last year amounted to about half a million and the expenses were \$55,000 or considerably over 10 per cent of the collection. At Hamilton \$50,000 more was collected than at Quebec, and the charge was only \$17,000. The income at Toronto was nearly a million, and the entire expenses of collection was only about \$25,000, or considerably less than 2½ per cent. Surely there was some room for enquiry as to the enormous charges at Quebec. Again, at Rimouski he found there were a collector and two landing waiters, and the revenue collected was absolutely nothing. It might be necessary to keep an officer there at a small salary, but what could be the use of two landing waiters?

**Hon. Mr. Tilley** said that at ports like Quebec and Montreal, there was a large expenditure, where no revenue was received. For example, when a vessel arrived, a tide waiter was put on board—an expense which

did not require to be incurred at Toronto. The expense of the bonding system thereat was very large.

**Mr. Mackenzie**—But at Montreal the expenses of collecting are only a little over 2 per cent.

**Hon. Mr. Tilley** said the discrepancy in the cost of collecting at different ports was one of the points to which he proposed to give his earnest attention at an early day.

The item was agreed to, as also the items for collection of Inland Revenue and Post Office Revenue. In connection with the latter item,

**Mr. Mackenzie** urged the propriety of providing better mail accommodation for the north shores of Lake Huron and Superior. He said he would urge the matter more formally on the attention of the Government, and ask exact information as to the nature of the arrangements now existing, when the estimates for 1868 and '69 were before the House.

The items—Public Works, \$730,742, and collection minor revenue, \$20,000—were agreed to, being the last of the ordinary estimates for 1867 and '68.

The supplementary estimates for the same year were also agreed to, without discussion.

The Committee then proceeded with the estimates for 1868 and '69.

On the first item—Salaries of four Lieut.-Governors, \$30,000—

**Hon. Mr. Chauveau** said at the concurrence he would make some remarks on this subject. They could not increase the sum mentioned in the estimates, but they could at least give their opinions.

**Mr. Jones (Halifax)** said he quite agreed with the Premier of Quebec as to the propriety of increasing the salaries of the Lieutenant-Governors.

The item was agreed to,

On the second item—Salaries and Contingencies of Departments—\$550,000, to be distributed under the provisions of the Civil Service and Contingencies Act.

**Hon. Mr. Rose** said he asked the House to pass this sum *en bloc*. The House would have an opportunity of discussing the details in connection with Civil Service Act.

**Mr. Mackenzie** asked if Government were to introduce a Bill founded on the resolution

of last night with reference to the Governor-General's salary after the resolution was concurred in.

**Sir J. A. Macdonald** said it was not their intention to do so. It would be open, however, to any member of the House to introduce such a Bill.

**Hon. Mr. Holton** thought it very irregular to found a vote of the kind on an Act (the Civil Service Act) which as yet had no existence, and to carry through which no serious step had yet been taken.

**Hon. Mr. Rose** said if the Civil Service Bill now before the House did not pass, the vote would be distributed in accordance with the provisions of the existing Civil Service Act. The vote was not so large as the vote for the present year. It was \$30,000 less. This reduction he expected to effect by means of the Civil Service and Contingencies Act.

The item was agreed to.

On the item—addition to the salaries of certain judges of Nova Scotia and New Brunswick.

**Sir John A. Macdonald** said that it was improper that the item of the judges' salaries should come up annually. Hence a Bill was being prepared and would be introduced this session to fix the salaries.

**Hon. Mr. Holton** suggested that it might be better to take this item out of the estimates, and omit the discussion on the matter until the Government introduced the resolutions on which their promised Bill would be founded.

**Sir G. E. Cartier** advised settling this matter at once. It would certainly advance the discussion a stage.

The item passed.

On the item \$25,000 for frontier police.

**Sir John A. Macdonald**, in reply to Mr. Young, stated that the Government were creating a Dominion police force. The necessity for having such a body of men under control of the Government had been felt, and small forces were now stationed at Ottawa, Sarnia and elsewhere, under control of Mr. McMicken, Stipendiary Magistrate for Ontario. This force had nothing to do with the detective service, but was for frontier and

[Mr. Mackenzie (Lambton).]

international service, for the Dominion buildings, and for such other Dominion service as would be found necessary in the way of guarding police buildings.

**Hon. Mr. Holdon** inquired if it would not be necessary for Government to introduce a Bill on the subject.

**Sir John A. Macdonald** said it would.

**Mr. Blake** said in that case it would be better to drop the item from the estimates and deal with it when it came before the House in the measure to be brought down by Government.

**Sir John A. Macdonald** replied that he preferred the House should pass the item. It was more convenient at this stage to pass the items in the order in which they stood.

The item passed.

On the item, \$30,000 for harbour, river and Government police, Quebec and Montreal, there was a discussion—several members contending that as Montreal and Quebec derived very great benefits from the shipping, the people of those cities ought to bear this charge and not the Dominion.

The item, however, passed, and the remaining item under the head, Administration of Justice; also all the items under the head, Penitentiaries.

On the item for legislation,

**Mr. Mackenzie** said that there would be a discussion. He understood the Government to have taken charge of the Contingencies, but he had been told that recently the Speaker of the Senate had expended \$4,000 on some operations connected with the rooms in the Senate quarter of the public buildings—which expenditure had been unauthorized, it was said, by the Department of Public Works.

**Hon. Mr. McDougall** said that the presiding officers of both Houses had, during the recess, represented to the department that several alterations should be made in the building, some of the applications had been sanctioned and others were not, but it was said that some of the alterations objected to would be entered on at the risk of the officer ordering them. In the other House extensive alterations, such as new kitchen ranges connected

with the saloon were proposed, but he had objected to them, not thinking any necessity existed for the change.

**Mr. Mackenzie** hoped that as far as the House of Commons was concerned, the Chairman of Contingencies would look sharply after such expenditure, and do what was possible to prevent a repetition of unauthorized expenditure.

**Mr. D. A. McDonald** said that in regard to one matter, the fitting up of baths, the Speaker was not altogether responsible. He (Mr. McDonald) and others had felt the

necessity for such a convenience, had suggested it, and he was willing to take the responsibility of this action in the matter.

The items down to the 22nd passed.

The items for scientific institutions, for arts, agriculture, and statistics, and for immigration and quarantine also passed.

The Committee then rose, reported the resolutions, and obtained leave to sit again to-morrow.

The House adjourned at a quarter past one o'clock.

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## HOUSE OF COMMONS

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Wednesday, May 6, 1868

The Speaker took the Chair at 3 o'clock.

### BAGOT ELECTION

Mr. Walsh, from the General Committee on Elections, reported the following as the names of the new Committee appointed to try the merits of the Bagot Election: Messrs. Mills, Masson (Terrebonne), Masson (Soulanges), Merritt, and Wood, Chairman.

### SUGAR DUTIES

Mr. Jones (Halifax), moved an address for communications from the Chambers of Commerce, etc., respecting the sugar duties. Carried.

### DEPARTMENTAL EXPENSES

Hon. Mr. Johnson moved that a Select Committee be appointed with power to send for records and papers, and to examine witnesses as to the state of the Departmental offices, and to report to this House as to the number of deputies and employees in each, and the amount of duties and labour in each department, and the salary of each officer and employee.

Sir John A. Macdonald hoped the honourable member would postpone the motion till to-morrow.

Hon. Mr. Johnson was not inclined to do so. He was afraid that if he postponed it he would lose it. If the Government had nothing to fear from the inquiry they would grant the Committee. If the number of employees was only sufficient, so much the better. Ascertaining that point would give satisfaction. If they were too numerous and too well paid, it was time there should be a change.

Mr. Speaker called attention to the fact that the motion was not seconded.

Mr. Rymal said he would second it.

Sir John A. Macdonald said he hoped that without debate this motion would be voted down. In the first place it was very important that the business should not be delayed. The return would be of no value during the

present session. Such a motion, moreover, if carried, would take the whole matter out of the hands of the Government. Again, it would, if passed, be a direct censure on the Government.

Sir G. E. Cartier opposed the motion in French.

Hon. Mr. Holton dissented altogether from the statement that this would be a vote of censure on the Government. Besides the motion was made by a supporter of the honourable gentlemen opposite, and as it was one decidedly in the direction of retrenchment, it ought to receive the support of the House.

Hon. Mr. Dorion supported the motion.

The House then voted on the motion, which was lost.

Yeas, 45; Nays, 99.

Yeas—Anglin, Bechard, Bodwell, Bourassa, Cameron (Huron), Cayley, Cheval, Coffin, Connell, Coupal, Daoust, Dorion, Fortier, Gaudet, Geoffrion, Godin, Holton, Johnson, Jones (Halifax), Kierzkowski, McDonald (Lunenburg), Macfarlane, Mackenzie, Masson (Soulanges), McClellan, McMonies, Mills, Munroe, Olivier, Paquet, Parker, Pinsonneault, Power, Ray, Redford, Ross (Dundas), Ross (Prince Edward), Rymal, Scatcherd, Senecal, Stirton, Wells, Whitehead, Wilson, Young—45.

Nays—Archambault, Ault, Beaubien, Belterose, Benoit, Bertrand, Blanchet, Bolton, Bowell, Bowman, Bown, Brousseau, Brown, Burpee, Caldwell, Cameron, Campbell, Carling, Caron, Cartier, Cartwright, Casault, Chamberlin, Chauveau, Cimon, Colby, Costigan, Crawford (Brockville), Crawford (Leeds), Desaulnier, Dobbie, Drew, Dufresne, Dunkin, Ferris, Forbes, Fortin, Galt, Gaucher, Gendron, Gibbs, Gray, Grover, Heath, Howland, Hurdon, Irvine, Jackson, Jones (Leeds), Kirkpatrick, Langevin, Langlois, Lapum, Lawson, McDonald (Glengarry), Macdonald (Sir John A.), McDonald (Middlesex), McGill, Masson (Terrebonne), McCarthy, McConkey, McDougall, McGreevey, McKeaney, McMillan, Merritt, Morris, Morison (Victoria), Morrison (Niagara), O'Connor, Perry,

Pope, Pouliot, Pozer, Rankin, Read, Renaud, Robitaille, Rose, Ross (Champlain), Ross (Victoria, N.B.), Ryan (Montreal West), Shanly, Simpson, Snider, Sproat, Stephenson, Sylvain, Thompson (Haldimand), Tilley, Tremblay, Walsh, Webb, Wood, Workman, Wright—99.

### IMMIGRATION

**Mr. Jackson** moved to add Messrs. Dunkin, Stephenson and Bolton to the Committee on Immigration and Colonization.—Carried.

### CORPORATION OF PILOTS

**Hon. Mr. Irvine** moved for correspondence, etc., respecting complaints against the corporation of pilots for and below the harbour of Quebec. Carried.

### MAILS TO AND FROM PARLIAMENT

**Mr. Masson (Soulanges)** inquired the price paid for conveying the mails to and from the Parliament Buildings and the Post Office, and who was the contractor. He said he heard that some \$8 or \$10 a day was spent in this service, and now, when economy had become a by-word, it was time there should be a reform in the matter.

**Sir John A. Macdonald**, having conferred with the Clerk, stated that this was a matter not controlled by the Government but by the House. From the Clerk he learned that the contractor was Patrick Buckley, and that he was paid \$4 per day by the House of Commons, and \$3 a day by the Senate.

**Mr. Burton** said that he seconded the motion not because it was in the direction of economy. Since he took his seat in the House he had not given a single vote in favour of economy; but he seconded the motion because he understood all about this contractor. He objected strongly to the contractor Patrick Buckley. He (Mr. Burton) did not want to say anything censorious respecting that person, but he would say that he could not congratulate the Government or the House on their contractor. He was in prison on one of the vilest of charges—one who has been confined under the direction of Mr. O'Reilly, the gentleman conducting the inquiry into the assassination case—a gentleman, it might be added, who deserved the thanks of the whole Dominion for the able, diligent and successful manner in which he had proved the wicked and unnatural assassination conspiracy. Buckley was now in gaol suspected of conniv-

ance in the assassination, and yet he was retained in the employ of the House of Commons, drawing his salary and carrying the mails as before. That was, in his (Mr. Burton's) view, a dishonour and an insult to every loyal man in the House. Buckley would appear to be a discontented Irishman. Now, in the Dominion that class of Her Majesty's subjects had no cause for discontent. Irishmen in the Dominion had nothing to complain of. In no country in the world were they better used than in Canada, and if a section of them were discontented and treasonable, it was time they should be driven off.

**Hon. Mr. Holton** said that the honourable gentleman's remarks were irrelevant.

The Speaker ruled that the honourable member was in order as he was speaking to the malcontents.

**Mr. Burton** proceeded to denounce Fenianism and say that if such persons liked any other country better than Canada, and expressed that feeling with such Fenian sentiments as they had been in the habit of giving utterance to, it was time they should be driven from these shores like a pack of wolves or jackals.

**Mr. Masson**, having obtained the information he desired, asked leave to withdraw his motion.

**Mr. Ferguson** stated that this mail contract had come under the notice of the Contingencies Committee, and it was well understood that the price paid for this contract was too high. The real question was, could the contract be performed for less money. If it could, then it ought to be done. The difficulty at present seemed to be that the officers of each House stood on their dignity, and each sent their own messenger to perform the service and paid him. Regarding Buckley, he would say that while the late Mr. McGee's assassination was deplored by all, still the honourable gentleman seconding the motion had gone too far in stating emphatically, before Buckley had been tried or judgment obtained, that a black mark should be set on that man. (Hear, hear.) The observations of the seconder of the motion regarding Mr. O'Reilly were such as he (Mr. Ferguson) heartily concurred in. But, so far as he understood the matter, Buckley was only committed under the *Habeas Corpus* Suspension Act. If he were guilty of any connivance with the assassination, then one thousand deaths would scarcely be sufficient punishment for

the baseness of a man who, while pretending friendship to Mr. McGee, was all the time cognizant that preparations for the death of that gentleman were being made. But there was no proof whatever of this—at least none made public.

The motion was then withdrawn.

#### INTERCOLONIAL RAILROAD

**Mr. Bolton** moved an address for copies of all petitions presented to the Privy Council, since November last, in reference to the selection of a route for the Intercolonial Railroad. Carried.

#### C. B. AND K. C. B.

**Hon. Mr. Chauveau** moved that the papers and correspondence laid before this House, respecting the marks of Royal favour which Her Majesty had been pleased to confer, be referred to a Committee of seven members, to report thereon with all convenient speed; the Committee to consist of Messrs. J. H. Cameron, Campbell, Gray, Casault, Parker, and the mover. Speaking in French, he said the papers referred to were a proof of the deep interest which Her Majesty had taken in the welfare and progress of the New Dominion. While admitting that our position as a young country was not so great historically or otherwise as that of some older countries, we were convinced of one thing, that a man in this country was worth a man in any country in the world. In other countries certain favours were bestowed on public men who were supposed to have rendered important public services, and it was not astonishing that in this country also a public man should be somewhat exacting as to the honour which should be paid him; but, while to some the first distribution of favours might have appeared very ungenerous, a reflection on certain parties as their ancestors, the recent graceful action of the Sovereign had remedied what appeared so disagreeable at first. That action had shown the true light in which the British Government desired to place public men who otherwise might have felt aggrieved. The honourable gentleman also repeated his remarks in English. Carried.

#### MARINE MATTERS

**Sir John A. Macdonald** introduced a Bill to regulate lighthouses, buoys and beacons; also a Bill respecting the relief of sick and distressed mariners; also a Bill respecting fishing by foreign vessels. He explained that

the object of the Bill was to make the existing laws of Nova Scotia and New Brunswick on this subject laws of the Dominion.

#### INDEMNITY BILL FOR MINISTERS

**Sir John A. Macdonald** introduced also a Bill to indemnify certain persons for sitting and voting in the House of Commons while holding offices of emolument under the Crown. He explained that the persons indemnified by the Bill were Messrs. John A. Macdonald, G. E. Cartier, Tilley, Galt, McDougall, Howland and Langevin.

#### STATUTES OF CANADA

On motion of **Mr. Mills**, the Bill to amend the Act respecting the Statutes of Canada was read a third time and passed.

#### GOVERNOR-GENERAL'S SALARY

**Mr. Oliver** moved concurrence in the resolution reported from the Committee of the Whole, declaring it expedient to alter the provision made under the 105th section of the British North America Act of 1867, and to fix the salary of His Excellency the Governor-General at \$32,000 per annum.

Carried on a division.

**Mr. Dufresne** introduced a Bill founded on the resolution intitled "an Act to fix the Governor's salary."

**Hon. Mr. Dorion** said if the member for Montcalm was really desirous to carry this measure, he should leave the responsibility of it with the Government, who had several measures of their own, especially the consolidated revenue Bill, into which they could introduce a clause to carry out the wishes of the House. It was the duty of the Government to follow the instructions which had been given by the House by so large a vote.

**Mr. Dufresne** said he introduced the Bill because he was serious in desiring to carry it. He was afraid, judging from the position taken by the Government, that if the matter was left in their hands they would not give practical effect to the wishes of the House; but if the Government would declare that they would take it up and proceed with it seriously, he would withdraw his motion.

**Mr. D. A. McDonald** said he would not give his support to making the reduction applicable to the present incumbent of the office.

**Mr. Dufresne** said the Bill provided that it should take effect from the 1st July next.

**Sir J. A. Macdonald** said he had no hesitation in stating what the course of the Government in this matter would be. They did not think they were constitutionally bound in any way to assist in the preparation or maturing of a measure to which they were opposed; but of course they must submit to the opinion of the House so unmistakably expressed as that opinion had been by the vote on this question. They would, therefore, offer every facility for the measure to pass through. So long as the House was sitting, so large a majority could procure the passing of the Bill through this House, and Government would not advise His Excellency to prorogue Parliament until the Bill had an opportunity of passing this House.

**Mr. Mackenzie**—And the other House?

**Sir J. A. Macdonald** said of course the other House would deal with the Bill as it pleased. If it was the unanimous desire of the House that the Bill should pass through all its stages at once, so far as Government was concerned, no opposition would be offered. The Government did not approve of the principle on which the Bill was founded, but acting in obedience to the will of the House would offer every facility for its passage.

**Hon. Mr. Holton** hoped the member for Montcalm would accept the suggestion of the leader of the Government, and treating this in the same way as a Supply Bill which could be passed at once through all its stages, after the resolutions had been passed in Committee, would move that the three stages be taken now.

**Sir J. A. Macdonald** said that could not be done. The Bill must first be printed.

**Hon. Mr. Holton** said the rules of Parliament did not require that the Supply Bill, founded on resolution, should be printed before being passed through all its stages.

**Hon. Mr. Dunkin** objected to any unseemly haste. An opportunity should be given to the House to amend every line of the Bill. It should be before the House day by day as it passed through its successive stages.

**Dr. Parker** said he would prefer to have the matter arranged by an amendment to the clause in the Consolidated Revenue Bill relating to the Governor's salary. He would rather not have a special Bill introduced.

**Mr. Dufresne** said perhaps the Government would not proceed with that Bill.

The Bill having been introduced,

**Mr. Dufresne** moved that it be read a second time to-morrow.

**Hon. Mr. Holton** suggested to add the words, "and that it be then the first order of the day."

**Hon. Mr. Dunkin** objected to such an addition being made to the motion without notice. He did not want the journals of the House to show any undue precipitation.

**Mr. Mills** urged that the Government were just as much responsible for the passing of measures initiated by private members as for those initiated by themselves. He thought they should provide for this reduction of salary by an amendment to their Consolidated Revenue Bill.

**Sir J. A. Macdonald** said if the honourable gentleman would look into the Parliamentary practice of England, he would find many cases similar to this where Government allowed measures to pass to which they were opposed. He hoped Mr. Holton would not press his addition to the notice, when Government stated they would give every facility for the passage of the Bill, so as to allow it to be considered in the upper House.

**Mr. Walsh** made some remarks in opposition to reducing the Governor's salary.

The motion for the 2nd reading to-morrow was then agreed to.

#### ENLARGING QUEBEC COUNTY

On motion of the **Hon. Mr. Chauveau**, the Bill to annex portions of the seignory of Belair to the Counties of Quebec and Port Neuf was considered in Committee, and ordered to be read a third time to-morrow.

#### COAL

**Mr. Brousseau** moved that the Bill to amend Chapter 63, Con. Stat. of Lower Canada, insofar as the same relates to the measurement and discharge of coal, be read a second time and referred to the Committee on Banking and Commerce.

**Hon. Mr. Holton** said that he would not oppose the measure at that stage, as it apparently only affected Montreal and would be referred to the Committee on Banking and Commerce.

Sir J. A. Macdonald thought the honourable gentleman introducing the measure ought to look into it carefully. It appeared to be a Bill affecting trade, and if such, ought to originate in resolution.

Hon. Mr. Holton thought the suggestion a good one.

Mr. Mackenzie said that it either was a measure affecting trade, and one that ought to originate in resolution, or else it was a Local Bill, which ought not to be brought into that House.

Hon. Mr. Dunkin said that a Bill like this had been before the Quebec Legislature, and had been withdrawn on account of two objections:—1st. a doubt as to the jurisdiction; 2nd. strong opposition to the provisions of the Bill. If, in the present instance, the Bill came within the jurisdiction of the House clearly, it was one of the Acts which had to originate in resolution.

The motion was carried.

The House rose at 6 o'clock.

After the recess,

#### CASE OF THE PROPELLER "GEORGIAN"

Mr. Morrison presented the petition of G. T. Denison, of Toronto, praying an investigation into the circumstances attending the seizure of the propeller "Georgian" by the Government in 1855.

The petition was received, and a special Committee appointed to inquire into the case, with power to send for persons and papers.

#### RICHELIEU AND PASUMSIC R.N.C.

Mr. Chamberlin introduced a Bill to incorporate the Richelieu and Pasumsic Railway and Navigation Co.

Mr. Workman introduced the Bill from the Senate for the relief of F. J. Whiteaves.

On the motion for its reference to a Select Committee,

Hon. Mr. Holton said he did not see why this matter of divorce had not been so arranged under Confederation that it could be dealt with by the Local Legislature. As to the Bill before the House, they were empowered to deal with it by the constitution, but he maintained that this question of divorce ought to be dealt with judicially and not by the Legislature. Until that could be done he would vote against all private Bills such as that before the House.

Mr. Mackenzie was surprised that the member for Chateauguay should declare his opposition to this the only remedy which the asking for the Bill could obtain under the law. This was the only Court in the land to relieve persons such as this man Whiteaves. Undoubtedly these Bills ought not to be encouraged except in extreme cases, but believing this to be one, he (Mr. Mackenzie) would vote for the reference.

Mr. Bellerose said that in this matter honourable gentlemen should vote according to their conscience. He would vote against the measure, believing divorce to be an unchristian practice.

Hon. Mr. Langevin took a similar view.

Hon. Mr. Chauveau—On grounds altogether independent of religious belief entertained the strongest aversion to interfering with the marriage tie, and would vote against the reference.

Hon. Mr. Dunkin would have no difficulty in voting for the Bill, if a case were made out, and in the meantime would not oppose the reference.

Hon. Mr. Anglin held that no human tribunal, civil or ecclesiastical, had a right to dissolve the marriage tie. No Act even of a Council of the Roman Catholic Church, or the Pope of the Church, had that power. Believing this, he (Mr. Anglin) would oppose this Bill or any Bill for the establishment of a Court of Divorce. In matters of this kind, Roman Catholics hold themselves absolutely bound by the decisions of their Church; and those decisions taught that mankind had no power to separate those whom God had joined together. No action of that House could sever the marriage rite. They might, by the action of the Legislature, legalize adultery; but that was all they could do. He would therefore move that the Bill be not now referred to Committee, but be referred that day three months.

Hon. Mr. Johnson objected to special legislation such as this.

Hon. Mr. Anglin then said he would withdraw his amendment, as since putting it, he had ascertained that a vote on the original motion would answer the purpose as well.

The House then divided on the original motion, which was carried. Yeas, 78; Nays, 57.

**Yeas**—Messrs. Ault, Blake, Bodwell, Bolton, Bowell, Bowman, Bown, Brown, Burpee, Caldwell, Cameron (Huron), Chamberlin, Colby, Connell, Crawford (Leeds), Currier, Dobbie, Drew, Dunkin, Ferris, Gibbs, Grover, Hagar, Heath, Howland, Hurdon, Jackson, Jones (Halifax), Jones (Leeds and Grenville), Kempt, Kirkpatrick, Lapum, Lawson, McDonald (Glengarry), Macdonald (Sir J.A.), McDonald (Middlesex), Mackenzie, Magill, McConkey, McDougall, McLellan, McMonies, Merritt, Mills, Morris, Morison (Victoria), Morrison (Niagara), Munro, O'Connor, Oliver, Parker, Ray, Read, Redford, Rose, Ross (Dundas), Ross (P.E.), Ross (Victoria, N.B.), Ryan, Shanly, Snider, Sproat, Stephenson, Stirton, Thompson (Haldimand), Thompson (Ontario), Wallace, Webb, Wells, White, Whitehead, Wilson, Wood, Workman, Young—78.

**Nays**—Messrs. Anglin, Archambeault, Beaubien, Bechard, Bellerose, Benoit, Bertrand, Blanchet, Bourassa, Cameron (Inverness), Caron, Cartier, Casault, Cayley, Chauveau, Cheval, Costigan, Coupal, Crawford (Brockville), DeNiverville, Desaulnier, Dorion, Dufresne, Fortier, Fortin, Gaucher, Gaudet, Geoffrion, Gendron, Godin, Holton, Huot, Johnson, Kierzkowski, Langevin, Langlois, McDonald (Antigonish), Masson (Soulanges), Masson (Terrebonne), McCarthy, McGreevy, McKeagney, McMillan, Paquet, Perry, Pinsonneault, Pope, Pouliot, Power, Pozer, Renaud, Ross (Champlain), Ryan (Montreal), Senecal, Simard, Sylvain, Tremblay—57.

#### THE RATE OF INTEREST

**Mr. Godin** moved the second reading of the Bill to limit the rate of interest in the Dominion.

**Hon. Mr. Rose** alluded to the great diversity of opinion prevailing with reference to this question, and asked the honourable gentleman to consent to the adjournment of the debate in the assurance that the Government were going to introduce a Bill on the subject on Friday next.

**Mr. Godin** agreed to the suggestion of the Finance Minister.

**Hon. Mr. Rose** then moved the adjournment of the debate.

**Mr. Masson (Soulanges)** hoped the honourable member in charge of the measure would not continue to consent to the adjournment of

the debate. The Government knew very well honourable gentlemen on this side were their friends and supported them in their good measures, and sometimes their bad ones also, (laughter); and he asked the Government to allow the House to deal with this question at once.

**Hon. Mr. Dunkin** said that on every previous occasion when this motion was before the House, the Government refused to take it up, and he was glad the Government were now at last going to move in the matter. The law of Canada on this subject was disagreeably inconsistent, ambiguous, and altogether such as had long been a standing reproach to the country.

**Hon. Mr. Johnson** advocated free trade in money as in other articles, and maintained that it was folly and worse to restrict the rate of interest. (Kicking of desks and other noises here interrupted the honourable gentleman.) He would say there was a great deal more in some honourable gentlemen's desks than in their heads. (Laughter).

The debate was adjourned.

#### THE CROWN AND GOVERNMENT

On motion of **Sir John A. Macdonald**, the House went again into Committee on the Bill for the better security of the Crown and Government—**Mr. Cameron (Huron)** in the Chair.

The Bill was reported, and ordered to be read a third time tomorrow.

#### OFFENCES RELATING TO COINAGE

**Sir John A. Macdonald** moved the second reading of the Bill respecting offences relating to the coin. He said with reference to this and a number of Bills relating to the criminal law, that he would ask the House in a great measure to accept them on trust. They had been prepared with a great deal of care. He had also examined them carefully himself, they would be open to amendment in Committee; and in the Upper House, where he had asked the Postmaster-General to take charge of them, they would also be subjected to careful scrutiny.

The Bill was read a second time and referred to Committee of the Whole—**Mr. Cameron (Huron)** in the Chair.

The Committee reported the Bill, and it was ordered to be read a third time tomorrow.

**SECOND READINGS OF VARIOUS BILLS**

On motion of **Sir J. A. Macdonald** the following Bills were also read a second time, considered in Committee, and ordered to be read a third time to-morrow:—Act respecting forgery; Act respecting offences against the person; Act respecting malicious injuries to property; Act respecting larceny and other similar offences; Act respecting procedure in criminal cases; Act respecting the duties of Justices of the Peace out of sessions, in relation to summary convictions; Act respecting the duties of Justices of the Peace out of Sessions, in regard to persons charged with indictable offences; Act respecting riots and riotous assemblies.

**GEOLOGICAL SURVEY**

**Hon. Mr. Rose's** Bill respecting the Geological Survey was read a second and third time and passed.

**NAVIGATION OF CANADA WATERS**

**Sir John A. Macdonald's** Bill respecting the Navigation of Canada Waters, from the Senate, was read a second time, considered in Committee and the report ordered to be received to-morrow.

**MORE SECOND READINGS**

The following Bills were also read a second time, passed through Committee and ordered for a third reading to-morrow: Act respecting Aliens and Naturalization, from the Senate; Act to impose a duty on British Copyright works, for the benefit of the authors; Act respecting the removal of persons in custody charged with treason or felony in certain cases; Act to amend the Act of the late Province of Canada, 25 Vic., cap. 72, by declaring the intention of the same, and confirming the conveyances made by the Trust and Loan Company thereunder.

The following Bills were read a second time, and ordered to be referred to Committee to-morrow;—An Act for the more speedy trial and punishment of Juvenile Offenders, and Act respecting the Department of Justice.

The Act providing for administering oaths to witnesses in certain cases for the purposes of either House of Parliament, was read a second time, considered in Committee, and the debate was adjourned.

The House adjourned at midnight.

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# HOUSE OF COMMONS

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Thursday, May 7, 1868

The Speaker took the Chair at 3 o'clock.

## CLAIMS FOR SERVICES IN GETTING THE RECIPROCITY TREATY

On the question of the reception of the petition of Thos. Rigney for the payment of certain claims in connection with promoting the Reciprocity Treaty,

**Sir G. E. Cartier** said that the view of the Government was that money petitions, the granting of which would affect the public treasury, should not be received. Such petitions should be presented to the Governor-General, and the Government of the day was bound to take notice of it. If any one interested in the petition should consider either that Government were neglecting to act on it, or were acting wrongly in not recommending to the House a money vote to meet the requirements of the petition, then any member in the House might move for the production of the petition, and take such other action as would bring on an issue between the petitioner and the Government for refusing justice.

**Mr. Mackenzie**—By moving a vote of want of confidence.

**Sir G. E. Cartier**—Yes.

**Hon. J. H. Cameron**, who had presented the petition, said it seemed to him a roundabout way of getting at the petition, to move for its production after Government had neglected or refused to act upon it.

**Mr. Mackenzie** said **Mr. Holton** expressed satisfaction with the view taken by Government.

**Mr. Speaker** stated that in all unprovided cases the rules of the English House of Commons governed the proceedings of this House. By a rule of the House of Commons of March 30th, 1866, it was ordered that the House should receive no petition for money from the public treasury which was not recommended by message from the Crown. He thought this rule should be adopted here, and decided that the petition should not be received.

## BAGOT ELECTION

Messrs. Mills, Masson (Soulanges), Masson (Terrebonne), Merritt, and Wood, Chairman, were sworn at the Clerk's Table as a Committee to try the Bagot election.

## THE FISHERIES

**Mr. Fortin** presented the 4th report of the Committee on Maritime and Fluvial Fisheries, as follows: "Your Committee having had under their consideration the question of the Inspection of Fisheries in the inland waters of the Dominion, recommend and deem it highly expedient that the inspection be continued, not only with a view to protect the local trade, but also with a view to the general interests accruing to the Dominion of the extensive fisheries of the Gulf of St. Lawrence, the lower part of the River St. Lawrence, the waters of the Atlantic, and of our great lakes, which may be seriously affected by the destruction of fish spawning in the several rivers of the Dominion.

## THIRD READING

On motion of **Sir J. A. Macdonald** the following Bills were severally read a third time and passed:—Act for the better security of the Crown and Government; Act respecting offences relating to the Coin; Act respecting forgery; Act respecting offences against the person; Act respecting malicious injuries to property; Act respecting larceny and other similar offences; Act respecting the duties of Justices of the Peace out of Sessions, in regard to persons charged with indictable offences; Act respecting the duties of Justices of the Peace out of Sessions, in relation to summary convictions; Act respecting riots and riotous assemblies; Act respecting the removal of persons in custody charged with treason or felony in certain cases; Act to amend an Act of the late Province of Canada, 25th Vic., cap. 72, by declaring the intention of the same, and confirming conveyances made by the Trust and Loan Company thereunder.

### DEPARTMENT OF JUSTICE

On motion of **Sir J. A. Macdonald** the House went into Committee of the Whole on the Bill respecting the Department of Justice.

The Bill was reported and was read a third time and passed.

### CHARGES AGAINST JUDGE LAFONTAINE

**Mr. Wright** moved the reception of a petition bringing certain charges against Judge Lafontaine, and praying an investigation.

**Hon. Mr. Holton** said this petition was of great length, and brought very grave charges. He would suggest its postponement till tomorrow, to give Government an opportunity of looking into it.

**Hon. Mr. Dunkin** thought the House should require that no petition against a Judge should be received, unless it had endorsed upon it that it had been served on the Judge.

**Mr. Wright** said he had presented the Parliament of the late Province of Canada a petition praying an investigation into certain charges against Judge Lafontaine. The petition he now presented, and which was numerous and responsibly signed, repeated these charges and brought certain new charges. When the petition had been presented it was his intention to move its reference to a Committee. If the charges were true, Judge Lafontaine was unworthy to hold his present office. If untrue, on the head of the petitioners let the infamy rest.

**Sir J. A. Macdonald** suggested that the petition should be printed, before the question of its reception was put. It might be read at length, but members could not so easily follow it and retain its substance in their minds as if they had it before them in printed form.

**Hon. Mr. Holton** thought there was a grave objection to the printing and virtual publication of the petition before its reception.

**Sir John A. Macdonald** said it might be that the publication might be libellous. The member who presented it would have to run the risk of that on behalf of himself and the petitioners.

**Mr. Morris** doubted the propriety of the House allowing the printing of a petition as to the propriety of receiving which they had not decided.

**Mr. Wright** said he was prepared to take the responsibility of substantiating the allegations in the petition.

The petition was then seconded.

### QUESTION OF FORTIFICATIONS

The House then resumed the adjourned debate on **Mr. Cartier's** motion. That the Speaker do now leave the Chair for the House to go into Committee of the Whole to consider certain resolutions to provide a sum not exceeding 1,100,000 pounds sterling, to defray the expenses of constructing works of fortifications for the defence of Montreal and other cities.

**Mr. Mackenzie** moved, in amendment, that all words after "That" be struck out, and the following inserted in lieu thereof:

The question of the erection of permanent works of defence should form a subject of enquiry by a Special Commission or a Select Committee—first, as to the necessity for and utility of such works, and the relative share of burden thereof to be borne by the Colonial and Imperial authorities respectively; secondly, the system of defence deemed necessary, the character of the works, their extent, locality and cost; and that pending such enquiries and report to Parliament, it is not expedient to vote any sum of money for fortifications of the nature, extent, utility and cost of which this House is uninformed.

**Mr. Mackenzie** asked who moved the adjournment of the debate.

**Sir J. A. Macdonald**—I did.

**Mr. Mackenzie**—The House will be happy to hear the honourable gentleman.

**Sir J. A. Macdonald**—They will prefer hearing you.

**Mr. Mackenzie** said he was not much concerned whether the Premier spoke or not. The more the honourable gentleman and his colleagues spoke on this subject the worse they would make their case. (Hear, hear). In resuming this debate, he (**Mr. Mackenzie**) desired to approach the subject in its broadest aspect, and abstain from those sectional feelings and prejudices to which the Minister of Militia had alluded in his opening remarks. The honourable gentleman seemed to have taken it for granted that his (**Mr. Mackenzie's**), threatened opposition to the resolutions arose in a great measure from the prejudices existing in the Province of Ontario on account of the presumed location of the works and the expenditure of the greater portion of the money to be borrowed on

works so actuated as to be less adapted for protecting the Western and most wealthy portion of the Dominion. He was quite sure the honourable gentleman was not justified in making such an accusation, although it was true he (Mr. Mackenzie) had stated that the view of the Military Engineers was that the fortifications in the west should be confined to facilitating not the defence of the country, but merely the movements of the Imperial troops, to get a secure position for themselves. That was a view which would not give satisfaction to the Province of which he was one of the representatives. He felt, however, that the question of the defence of the country was one in which the interests of the whole people were involved, and he was disposed therefore to deal with it on the broadest possible grounds, as affecting not one section merely, but the whole community. (Hear, hear). He regretted that the question should have been brought before the House for the first time at so late a period of the session. Considering that they were now entering the fifth month of session, and had only now the resolutions placed before them by which they were to borrow a sum of five million dollars, for a purpose to which money had never before been applied in this country, he thought they had reason to complain that Government had not brought down these resolutions sooner, in order that they might not only have a more full discussion in this House than it was possible to obtain now, but also that they might have the benefit of that discussion which would no doubt take place in every part of the country, and the nature of which would be developed in the press. It seemed as if the Government had not brought in their resolutions earlier because they were afraid of an agitation which might be provoked in opposition to their measure. He thought in a matter of such very great importance it was absolutely necessary that we should consider the political position we now occupied. We were not now a small colony embracing merely an insignificant fraction of the population, of the empire. In point of population, this Dominion was now by far the largest British colony. We had now the only Parliament on British territory except the Imperial one. All the other Colonial legislative bodies were merely Provincial Legislatures, which could not be supposed to have that extensive interest in such matters which this Parliament must be presumed to have. He was not disposed therefore to discuss this question as he might have done in a former

era of our history, but desired to take that enlarged view of it which was suitable to our position as an independent Legislature in connection with the Imperial Parliament of Great Britain. The Minister of Militia said he did not think it necessary to enter into a discussion as to the propriety or necessity for works of this kind, but that he took it for granted that when the Imperial authorities declared such works to be necessary from their point of view, all this Legislature had to do was to act as nearly as possible in compliance with the demands of the Imperial Legislature. He (Mr. M.) denied that there was any such necessity incumbent upon us. He was not disposed to concede even to the Imperial Parliament the right to enforce on this Legislature the construction of such works of defence for this country as they might choose to deem necessary. In this matter, he conceived we had the same right as was insisted on by the Imperial Parliament itself in 1859, '60, '61 and '62, when it subjected to the closest scrutiny the propositions then made by the Imperial Government for the coast defence of Great Britain. The Government in that case felt it to be their duty to bring down the most minute details as to the works proposed to be erected. But our Government merely informs us that the Imperial officers declared certain works to be necessary, and that all we had to do was to vote the money for them. (Hear, hear). He thought our duty was to take the same course as had been taken in the Imperial Parliament, to investigate the necessity for the works, and to ascertain all necessary details as to their location, nature, extent, etc. But the very first point to be ascertained was the views of the Imperial Government as to the extent or cooperation they required from this country for its defence. Some time ago, a commission was appointed by the Imperial Government to examine this very subject, composed of Messrs. Hamilton, Gorley, and Elliot—the last named, he believed, being the Under-Secretary of State for the Colonies—Messrs. Hamilton and Gorley agreed upon a report.

Their colleague, Mr. Elliot, differed from them to a certain extent. These gentlemen stated their belief that the duty of the Imperial Government to defend their colonies arose from the fact that any policy which could produce war, must necessarily be an Imperial policy, and that as the colonies could have nothing to do with a declaration of war, or with a cessation of war, the Imperial Government was bound to exercise

all its power in defence of the colonies, and that, as a rule, the colonies themselves should decide as to the nature and extent of contribution they should make to their own defence. Having quoted several passages to this effect from the report made by the two members of the Commission least favourable to the colonies, Mr. Mackenzie read the report of Mr. Elliot, who stated that the benefit of the colonies to the mother country ought also to be taken into consideration, and that the question of defending the colonies was essentially of Imperial interest. In illustration of this point Mr. Mackenzie quoted from the trade returns to show that this Dominion, in proportion to its population, traded with Great Britain to a vastly larger extent than the United States did, which was also in fact an English speaking colony of Great Britain, although now politically independent of the mother country, and that if Canada were separated from the mother country and joined to the United States, the commerce and manufacturing interest of Great Britain would suffer largely by the loss of our trade. But while he urged these reasons why there should be a Commission or Committee appointed by Government or Parliament to ascertain the precise position in which we stood to the mother country in regard to military expenditure, he was not disposed for one moment to take advantage of the argument he had used in order to obtain more money from the British people than would be fair for such purpose. In order, however, to settle the respective amounts which should be paid by the mother country and by the colony, there ought to be an inquiry by some competent tribunal. There ought also to be information as to how the money was to be expended. If the Government policy should succeed, if the House should adopt these resolutions, which he could not believe they would, it would be in the power of the Government to expend five million dollars on works, as to the nature and extent of which they had given the House no information. The Minister of Militia had argued that because the Austrian Government had their Quadrilateral in Italy, therefore, we should have our quadrilateral in Canada—the fortified angles of which should be Montreal, Kingston, Toronto and Hamilton—(laughter)—with possibly a sergeant's guard at Paris, or London. He did not feel competent to discuss military topics, but he did think that such a quadrilateral would bear very little comparison with the original in Italy. We had already organized

[Mr. Mackenzie (Lambton).]

the most extensive system of militia, in proportion to our numbers, that prevailed in any part of the British Empire, including the mother country itself. We had now a force of some 25,000 volunteers, tolerably well drilled, if we were to credit the reports of the Adjutant-General. In 1861 it was stated before an English Commission that in all British America we had but 10,000 volunteers, and that our militia was merely a paper organization. This was still to some extent true of the militia, but we had at large expense trained a body of officers, who were supposed to be capable of heading our militia force, if it should be unfortunately necessary to take them into the field. And now, in addition to all this, we were asked to enter on a system of fortifications, the nature of which had only been imperfectly shadowed forth by the Minister of Militia. We had been told that it was probable an entrenched camp would be formed somewhere in the Western peninsula, but that the works at the lake points would be of a different kind.

**Sir G. E. Cartier** said he had stated that at Montreal the fortification would consist of earth works and a large entrenched camp.

**Mr. Mackenzie** said he had inferred from the reports and from the honourable gentleman's own speech that other works besides mere earth works and a camp were to be constructed. Part of the works, it had been stated, would be in the County of Vaudreuil, extending thirty or forty miles beyond Montreal; but however this might be, it was well known that in Western Canada we had a most difficult country to fortify in the sense understood in Great Britain. The English defence commission took the ground that it would be quite impossible to fortify the merely commercial harbours, and their works had therefore been directed mainly to the fortifications of the great naval arsenals and dockyards. In these resolutions it was proposed to fortify three of the lake ports in Western Canada, only one which, Kingston could be held to have any analogy to Dartmouth, Portsmouth, and Plymouth. Mr. Mackenzie again pointed out that when the English harbour fortifications were undertaken, the fullest details of the proposed works were laid before Parliament, and contended that it would be improper and unconstitutional for this Parliament, without any such details, to grant so large a sum to the Government to be expended by them in any way they saw fit. He showed them, if we might

judge from all past expense of works constructed under control of the Royal Engineers, as he supposed these would be, the expense would very far exceed the estimate, and new demands for more money would be made in each successive session. No one could doubt that the works would cost the country more than double what Government asked at this moment. Moreover, his firm conviction was that the defences to be erected at Toronto and Hamilton would be utterly useless. Colonel Jervis in his report did not assume that these places could be defended in the sense of what we called defence. He merely considered that by having works at certain places we would be able to hold them for a time. Admitting that the rest of the country would be occupied by the enemy, he considered that in these places we would have a nucleus around which, in certain emergencies, the militia of the country might congregate. But suppose these places were held, what was to hinder the United States from landing their troops at almost any point along Lake Erie, at any point on the Detroit River, on the Rivers Thames and Sydenham, on the east shores of Lake Huron, or at any point on the Georgian Bay from Owen Sound to Collingwood? Where then would be the use of maintaining works at Toronto or Hamilton, if the whole country otherwise was to be occupied by foreign troops. Mr. Mackenzie went on to show that it would be next to impossible in a time of war to get gunboats up the St. Lawrence into Lake Ontario along a route a great portion of which would be commanded by the enemy, and argued that the best measures we could take for our defence were the maintenance of a well drilled force of say 25,000 volunteers to preserve internal order and be ready for service in case of any sudden emergency and a good militia organization under well trained officers ready for service in the event of war. He yielded to no man in loyalty or in willingness that our means or resources should be employed in the defence even of Imperial interest in this continent; but he objected to our going into a recklessly extravagant system of fortifications that would be productive of no real good. He proceeded to discuss the probabilities of war with the United States, and showed that these were vastly less now than they were supposed to be in 1862, 1863 and 1864, when the United States had an immense army, and it was thought that the causes of irritation then existing might lead to war with Britain. When their own war was settled,

he showed that much more friendly feeling existed, that the United States had disbanded their army, except what was required to keep the South in subjection, and that their experience of the difficulties of governing a conquered country in the South would be to deter them from trying a similar experiment on their northern border. He argued that it would be too great a burden on our resources, not only to erect, but to maintain such fortifications as were now proposed, and referred to the history of the American civil war to show that impromptu earth works thrown up in a few days had often proved more effectual to stop an enemy's operation than the most elaborate fortifications.

Mr. Cartwright agreed with the member for Lambton that great deliberation was necessary before entering into a scheme of this kind. Undoubtedly the position of this Dominion was a peculiar one as compared with other Colonies of Great Britain. As to the question at issue, he would simply say that though he acquitted the honourable member of desiring to sever the connection with the mother country, yet if the honourable member had been specially retained by advocates of Colonial disunion, he could not have done much more towards such a brief. The true tendency of some of the arguments of the member for Lambton was to show that the people of this country would be mad if they neglected to provide a proper system of defence. Again, the member for Lambton was inconsistent in his course. A motion substantially similar to the amendment now proposed had, on a previous occasion, been placed in the hands of the Speaker of the Province of Canada, and in spite of an amendment proposed by the member for Chateauguay, that motion was voted down—the member for Lambton voting among the nays. (Hear).

Mr. Mackenzie said he would give his reasons for doing so very soon.

Hon. Mr. Holton said the member was mistaken in saying he (Mr. Holton) had moved the amendment alluded to.

Mr. Cartwright resumed. He thought it was idle for them to conceal from themselves that the United States was rather to be regarded as a powerful and sullen rival than as a friendly power. There were, he was sorry to say, too many indications that this had been the true attitude of our neighbours for years past. Moreover, it was not to be supposed for one moment that there was nothing which would be likely to lead to a war between

America and England. There was the sovereignty of the seas, which Americans dearly prized, and would gladly win, and there were many other things which might afford cause for quarrel, and hence the necessity for this country being forearmed. On a previous occasion the member for Lambton spoke of the proposed fortifications as works which would be merely useful to enable British troops to retreat. He (Mr. Cartwright) strongly objected to such a statement. It was one which no fair interpretation of the reports of the English Engineers could possibly warrant. Again, the member for Lambton stated that the one shilling per head of our taxes was equal to the eight shillings sterling per head of the British taxpayer. It was an absurd statement.

**Mr. Mackenzie** explained that the honourable gentleman misinterpreted him. What he (Mr. Mackenzie) said was that the average wealth here represented about \$200 per head, whereas in England it was nearly \$1,200 per head, so that if the people of the Dominion expended 25¢, it was equal to \$1.50 for the people of England.

**Mr. Cartwright** said that the statement was wrong at all events. If the honourable member for Lambton took the trouble to carry out his statements he would find the result to be that the people of the Dominion actually paid fifteen shillings per head as against fifty shillings per head by the British taxpayer. To ascertain the amount of taxation, and that which could be borne by a people, reference must be had to the average income of the people of the two countries.

The House rose at 6 o'clock.

#### After the recess.

**Mr. Cartwright** continued. Honourable gentlemen opposing this measure laid great stress on the success which had been attended the people of the United States in extemporising armies and fortifications; but it was a folly to say that they were extemporised armies. The fact was it required four years from the time they first called out their forces until they had sufficient military in the field. Even then it could not be called a properly organized army, although there had been an immense expenditure of energy, time, skill and means to perfect it; and so it was with fortifications. And as to the manner in which previous Canadian Governments had dealt with the defence of the country, whatever honourable gentlemen opposite might say to the contrary, it had been most

[Mr. Cartwright (Lennox).]

detrimental to the interests of the country. He knew that in one small county in Canada no less than a quarter of a million dollars had been withdrawn by a few capitalists, in consequence of the distrust created by the action of the Government of 1862 in failing to make proper arrangements for the defence of the country. Looking at the necessities of the position of the Dominion, he thought the present position of the Imperial authorities regarding defence most reasonable, and one which it was highly desirable the Dominion should accede to if honourable gentlemen succeeded in carrying this measure, as he hoped they would, he believed their course was clear, and that was to insist on the Imperial authorities taking a definite position in regard to the defence of this portion of the empire, and that there should be a plain statement of the men and means to be contributed to the defence of the Dominion. They were not in the position of suitors to the Imperial authorities, but inasmuch as the people of the Dominion were willing to contribute to the defence of this important section of the empire, so the Imperial authorities should in turn be specific in setting forth what they were willing to do in this matter of defence.

**Mr. Masson (Terrebonne)**, fully agreed with the closing remarks of the previous speaker. It was high time the tone alluded to should be held towards the Imperial authorities. There evidently was a misunderstanding between the Dominion Government and the Imperial Government on the subject, and the sooner it was cleared up the better—especially in view of the fact that the views of Mr. Gladstone, probably the next Premier of England, might soon prevail on the subject. As to the fortifications, it was clear that all Col. Jervis' report asked for the West was the fortification of Kingston and Hamilton; and if there were to be western fortifications, why ask for more than was then recommended? He (Mr. Masson) would like to ask the Government where were those western fortifications to be placed? It might be answered he was a supporter of the Government and ought to have confidence in them that they would erect those fortifications in the right places. But that was not a sufficient answer. The Government ought to be specific in this matter, and do as was done in England—state distinctly where the fortifications were to be. Why, in England even where the Government had the money in their hands, they had been compelled by Parliament to state where the

proposed works were to be, and what would be their cost. He believed the country needed fortifications, but he wanted to know where they were to be, and their probable cost, before he voted for the measure. In the meantime, he did not say he would vote for the amendment, but he certainly would not vote for the original motion without a more explicit statement by the Government.

Dr. Parker said he was glad to hear a supporter of the Government like the honourable gentleman who had just spoken lay down so clearly the sound constitutional principle that the House should have full information as to where and how this money was to be applied, where the fortifications were to be located, and what they were to consist of. He thought the Government were bound to meet the conditions which the honourable gentleman had laid down. The member for Lennox (Mr. Cartwright) had charged the member for Lambton with taking the same ground as was taken by Goldwin Smith and others of his way of thinking in England. If he (Dr. Parker) understood the argument of his honourable friend, it was quite the opposite. Goldwin Smith contended that the colonies were of no value to the Empire. The position of the member for Lambton was that they were highly important to the Empire, adding not only to its political power, but to its commercial greatness and wealth. (Hear, hear). As an answer to the disparaging remarks made by Mr. Cartwright as to the inefficiency of a militia as compared with a regularly trained force. Dr. Parker read a passage from a speech delivered in the English House of Commons, in which it was shown that some of the greatest victories on record had been gained by militia men—that Gen. Burgoyne's army had been driven out of the United States by a comparatively untrained militia, and that of the troops that won the battle of Waterloo, a large proportion were raw levies. He held that where we had a population animated by patriotic sentiments, extensive military drill was not so material as it was regarded by the member for Lennox. Coming to the question more immediately before the House, Dr. Parker said the Minister of Militia had introduced these fortifications resolution in a powerful speech, but his earnest appeal met no response from the House, and when the honourable gentleman closed by saying that Government would not then proceed to take the vote on them, it looked as if they were not satisfied that the resolutions were of a nature

to command the support of the House. The question was one on which the House was not in a position to come to an intelligent judgement without further information. The first point to be determined was the utility of the fortification as a means of defence, and how was that question to be settled? We ought to have the views of experienced military and naval officers, and of engineers both civil and military. We required also the opinion of political economists acquainted with our resources, as to our ability to erect and maintain such fortifications, and to defend them in time of war. Then we should know what sort of fortifications they were to be, whether they were to be iron, earth works or stone, or if they were to be of those materials combined. Then we should know precisely what they would cost, and what would be the cost of maintaining and garrisoning them, of providing stores, and he for one as a member of this house was not prepared to give his judgment on the question submitted without having this information before him. If it could be demonstrated to his satisfaction that the country could be made secure by an expenditure of 5 or even 10 millions, he would cheerfully vote it, but he would not consent to vote even half a million if he had not reasonable assurance that the country would be benefited by the expenditure. To expend money on useless fortifications that could not be sustained in peace or defended in war would be worse than folly. The Minister of Militia had spoken as if secrecy were important with regard to the nature of those fortifications. He looked on this plea as absurd. In offensive warfare secrecy as to the plans of the campaign might be preserved and would be important. But as regarded a defensive campaign it was impossible to maintain the plan of defence or the nature of the defensive works, concealed from the enemy. Dr. Parker proceeded to ask what authority Government had for saying that the Imperial authorities would guarantee the fortifications cost. He quoted from a speech of Mr. Ad-derley, the Under-Secretary for the Colonies, of 25th March, 1867, on the Intercolonial Railway Guarantee Bill, saying that would be the last guarantee that would be proposed to Parliament, and that if proposed, it was the last Parliament would be disposed to grant. This was conclusive to his mind that no guarantee was contemplated by the Imperial Government at that time, and there was no evidence of any offer of it on their part since. Even if Government had promised such a guarantee it was exceedingly unlikely that

the Imperial Parliament would ratify it. He then said we were asked to vote this million and a half dollars on the authority of the report of Colonel Jervois. He stated that this was one of the gentlemen who had been charged in the English House of Commons as mainly responsible for misleading the English Parliament with regard to the fortifications scheme in 1860, which, after costing a great deal of money, had been abandoned. He said the hurried visit paid by Colonel Jervois to this country—as he left Liverpool in September and returned in November—could not have enabled him to prepare any trustworthy report on the works necessary for the defence of Canada, and that even if the report had been carefully made, its value was destroyed by the subsequent experiments at Sheerburyness, which proved that the system of fortification then in vogue was worthless. In any case, he protested against our having to incur an enormous expenditure for a system of fortifications based on the report of a single officer of the engineers. The Minister of Militia said we should look to the example of other countries. Complying with this invitation, Dr. Parker proceeded at some length to examine the aspect of the fortifications questions as they presented themselves in France, Belgium, Russia, the United States, and England. He referred to the Paris fortifications, costing \$28,000,000, and those of Cherbourg, costing over \$40,000,000, which were now found to be useless. Cherbourg had been thought to be impregnable, but from the increased range and destructive power of missiles it was now found that the vast sum spent in strengthening it had been thrown away. The Cronstadt fortifications cost over \$10,000,000 but would, like Sweaborg, have been destroyed by Napier but for the barrier sunk at the entrance of the harbour. As regarded the United States, he referred at considerable detail to the military operations during the late war, to show the comparative uselessness of fortifications. The Minister of Militia had given England a wide berth in discussing the question of fortifications. The Parliament did not procure until after ample inquiry and after being put in possession of the fullest details. Yet the system thus adopted was a failure. He contended we had not the means as England has to waste in experiments or failures. In the 15 years up to 1862, England spent 293 million pounds sterling on her navy, and at the end of that time Sir John Pakington, when First Lord of the Admiralty, decided that the navy of England

[Dr. Parker (Wellington Centre).]

was useless. The fortifications commenced in England in 1861 had cost to the beginning of last year seven millions sterling, and at that time not a gun had been mounted and the works were abandoned as useless. The lesson therefore he would draw from the experience of other countries was that we might exhaust our resources of country in erecting fortifications only to find them useless even before completed. Dr. Parker then adverted to the question—could we hold them if built? and pointed out that in time of peace they would be a constant subject of anxiety and solicitude. If we had them at this time, we would be troubled about the designs the Fenians might have upon them. He then inquired as to the use they would be in time of war, and argued that, instead of their defending our homes, our wives and children, our mills, railroads, barns and herds, they would offer them up as sacrifices to the insane folly of this scheme. He then proceeded to trace the history of the defence made in Canada, and said it was chiefly based on an irrational subserviency to whoever, for the time being, happened to occupy the Colonial Office. He went on to advocate the settlement of the proportion of expense to be borne by the Dominion and the Empire in the matter of defence, and argued that there could be no reduction of the militia force if these fortifications were constructed, although the Government asserted there might be such a reduction. As to the cost, no one for a moment believed it would be only what it was stated. It would far exceed the \$5,000,000. In addition, these fortifications had to be maintained at considerable cost. There were also stores and equipments to be found for them, and all this cast expense must be added to the present frightful debt of the Dominion, which he gave details to show would be increased this year by \$30,000,000. This, with the amount for the purchase of the North-West, and the expenditure on the other schemes before the Government, would swell our debt to a frightful sum, increasing annually burdens on the people by nearly 2½ millions. With the exception of the opening up of the North-West, these schemes formed part of a reckless system of extravagance which the Dominion could not sustain, and which he hoped to see put an end to. He would vote for the amendment of the honourable member for Lambton.

Hon. Colonel Gray, alluding to the statement of the previous speaker, that the Imperial Government would refuse their guarantees, pointed out that in that case no



burden would be imposed on the country. By using this argument, the honourable gentleman had, therefore, cut the ground from under his own feet. As to the question of fortifications, it was absurd to presume that the minute a difficulty took place the whole of the troops were to run into their forts and leave the country exposed. No such thing would happen. These forts would be mere rallying points, and would be used only as a last resort in case all their troops would be driven in. It had been argued that even if the forts were created say at Toronto and Hamilton, an enemy might land on the shore between these two places, or anywhere along its line of coast out in the immediate neighbourhood of the forts. But did any one with military knowledge imagine that in the event of war, England or the Dominion would be without vessels of observation on the lakes, and did honourable gentlemen imagine it to be so easy under such circumstances for an enemy to reconnoitre and land troops, stores, and ammunition at points along the coast? Again, it had been advanced that although the people of England paid six times as much per head for the support of the army and navy as did the Dominion, that the latter were in proportion to their resources much more heavily taxed? That was a fallacy, and it was important that the people of this country should not imbibe the untenable and unsound notion that they were more heavily taxed than other people. They really were not. The fact was that the burdens borne by Canadians were far less than those sustained by the inhabitants of Massachusetts or New York. As to the proposition of the honourable member for Lambton that a special Committee should be appointed, it was one which was not practical, and would lead to no result beyond quietly shelving the question for a reason. After all, however, his belief was that the true strength of the people lay in the feelings of loyalty and enlightenment which actuated, and he trusted ever would actuate the inhabitants of the Dominion. (Hear, hear). The expenditure asked for by the Government was one which was little enough for the accomplishment of the great end to be attained.

**Hon. Mr. Holton** would not speak at length, believing that the able arguments of the members for Wellington and Lambton remained unanswered. He (Mr. Holton) only rose to disabuse the mind of the Minister of Militia of the impression that he (Mr. Holton) was afraid to back up his vote by his speech.

He was not in the habit of boasting of his achievements; he was not a great militia authority (laughter); but respecting the measure before the House, it was a curious and striking coincidence that it should not have been brought forward until the honourable gentleman had been in receipt of a very distinguished mark of honour from the Imperial authorities. Smarting under a sense of wrong, slightly personal perhaps, the Minister of Militia could not see his way clearly to fulfil what he so strongly urged as an obligation of the country to the empire, until that empire had fulfilled its obligations to him. (Loud laughter and cheers). As to the matter of defence, he regarded the proposed system of fortifications as useless. If the country were attacked, they must do the best they could; but for one, he had not the slightest fear of the result of such a struggle. As to the apportionment of expenses, he did not see how that could be done beforehand. If the Dominion were to be made the theatre of war, then the inhabitants thereof would undoubtedly contribute far more to the expenses of the war than they would be asked to do in any prior arrangements. He strongly objected to being asked to embark as respected the matter of fortifications, in an unknown sea, such as they were asked to do. Again, honourable gentlemen opposite could not pretend there was the slightest possibility of an Imperial Act of Guarantee being passed this session.

**Sir John A. Macdonald** said there was a possibility.

**Hon. Mr. Holton** did not think it. The Government at present in power were in the midst of a crisis, and little could be expected from them. The expected successors were pledged against allowing any such guarantee, very clearly and decidedly. It had been said, if there were no guarantee there would be no burden; but what then became of the necessity for the defences? The objection which the Opposition took *in limine* was to a lump sum. No case whatever had been made out for the proposition in its present stage, unless Government took the ground that the Parliament of the Dominion were not fit to be entrusted with such information on this matter dared not be well held from the representatives of the people in England.

**Hon. Mr. Galt** expressed confidence that the Imperial Government had no intention to depart from engagements entered into. He did not think it possible for the Dominion

Government to take any other steps than these it was now taking, and argued that the House had every check in its power, as accounts of expenditure would have to be brought down yearly, and Parliament has the power at any time to assert them, just as the Imperial Parliament has with regard to the coast defences of England. Desiring to maintain connection with England, we must expect the conditions on which she deems it desirable to maintain that connection. She requires that we must aid in our own defence, and she tells us that that defence cannot be secured without an organized militia. It was generally assumed in England that Canada would be a source of loss and a burden to the Empire in case of war. He believed the contrary. He did think a time would come in the history of the Dominion when it would be independent of Great Britain. That he conceived to be inevitable. He hoped it would not be in his day. What, then, should their policy be under such circumstances? If the policy of the member for Chateauguay were carried out, the inevitable result must be annexation to the United States. That he trusted would never be, and in order to avert it, in view of probable separation from the Mother Country, then their legislation should be such as to prepare themselves for a future state of national existence. While the inhabitants of the Dominion were yet young and required protection, the Mother Country extended her shield for their protection. But, in the meantime, it was obviously the duty of the people of the Dominion to protect themselves from having no choice in the future but that of annexation. He was resolved to vote for the Government proposition, believing it to be a step in the direction he had indicated; and in view of the great interests of the country, he trusted the Government would receive that support to which their present wise and far-sighted policy entitled them. (Cheers).

**Hon. Mr. Johnson** said it had been stated that this measure was the result of a bargain with the Imperial Government. But who made the bargain? It was a bargain he, for one, could not ratify, and he hoped the House would not in the absence of full explanations.

**Hon. Mr. Chauveau** said that the honourable member for Sherbrooke threw a new light upon the whole discussion, passing from the present he looked over the future of Canada, and while saying that our connection with England would not be perpetual, he could not but hope that the severance of that

[Mr. Galt (Sherbrooke).]

connection would not be within his own day. The member for Sherbrooke saw the two alternatives for Canada, either its independence or its annexation to the United States; but he (Mr. Chauveau) could say the French race would be the last people in the country to desire annexation. Their numerical inferiority to the other people in this country made them look to the connection with England as one of the great guarantees to themselves. While the people of the Dominion were overshadowed by their great neighbours, who invited to their shores all the fillibusters, Fenians, and bandits in the world, it was of the highest importance the Dominion should affirm its national existence by such preparations as would guarantee the peace of the country. The people of the Dominion were building their fortifications and preparing their movements not for the Empire itself, but for the future of the Dominion, and for their own prosperity.

**Hon. Mr. Connell** advocated the amendment at much length. He had, in common with his constituents, every desire to see the Dominion flourish; but he found unfortunately that every step they took plunged them deeper in debt and difficulty, and it was not to be wondered at under the circumstances that the people of New Brunswick should be restive—should feel wronged. The truth was they had been greatly deceived in almost every possible way. Instead of finding Confederation a benefit, they found that under it the taxation was not only greater, but of a kind such as they had never been accustomed to. In almost every step the present Administration had gone counter to the well defined views and feelings of the people of New Brunswick. Instead of endeavouring to conciliate that section, the very reverse course had been systematically adopted. First of all, the partizans of the Ministry cozened the people into believing the Dominion debt was not within 50 per cent of its present dimensions. Then the most unsatisfactory and unheard of tariff had been imposed; and, lastly, when the Government sought to apply a remedy, their efforts were equally unfortunate, and except in the single item of bread-stuffs, had heightened rather than diminished the evils complained of. Was it any wonder that complaints of injustice were becoming loud and frequent from Nova Scotia? Was it any wonder that his constituents were constantly writing to him expressing bitter disappointment at the fruits of Confederation? He had in his hand a letter from an

influential inhabitant of New Brunswick, a gentleman well known to the Minister of Customs, who complained bitterly that the leaders of the Dominion Parliament were conniving to make and work, and do apparently their utmost to thwart the wishes of the Maritime Provinces. He, for one, had steadily opposed and would continue to oppose such measures. With reference to the matter before the House, while concurring in the idea that the country should not be left defenceless, he had no idea of voting a huge lump sum such as now called for by Ministers until they vouchsafed full information in regard to the fortification they proposed to erect. He would, therefore, vote for the amendment, believing it to be in accordance with Parliamentary practice, believing it to be in accordance with English practice, and believing it would afford the representatives of the people an opportunity of voting with full knowledge of the circumstances. He trusted, too, that in this view the majority of the House would concur. They might depend on it the people of New Brunswick would demand full information on the subject. (Hear, hear). He believed the Confederacy could be made a success. If it were fairly worked out, that would undoubtedly be the result; but if the course pursued since the opening of Parliament were persisted in, they might depend on it the Confederation would not prove a success in any of the Provinces. Very little, he regretted to say, was now heard of the great measure for the opening up of the North-West territory; yet that was a measure from which much was justly expected. Then the canals were to be deepened in the west, and preparations made for developing the country generally, but what had been done in any of these directions? What had been effected in the way of developing the resources of the country? Where was the item in the estimates to show the Government were fulfilling their promise in endeavouring to add to the population and wealth of the Dominion? He could not but raise his voice then, as before, against a system which he feared was ruining the prospects of one of the fairest portions of Her Majesty's Dominion. (Cheers).

**Mr. Tremblay**, in French, opposed the Government scheme as being indefinite and unsatisfactory in the extreme.

**Mr. O'Connor** admitted that the question of incurring great expenditure for fortifications was one which should be gravely considered, but he took it for granted that the Govern-

ment had gravely considered it. He looked on this as part of the Confederation scheme which they were bound to carry out, like every other part of that scheme.

**Mr. James Beaty** would consider himself criminal as a British subject if he gave a silent vote on this question. The amendment he regarded as a direct attack on responsible Government. (Laughter). It was an insinuation that those who supported it had no confidence in the Government. A great deal had been said about the good feeling of the people of the United States. Why, we had seen even the women among them, who ought to have the milk of human kindness in their breasts—(laughter)—waving their handkerchiefs and cheering the robbers and murderers who were departing from one of their cities to attack us and take our lives. They were very anxious to see us separated from Great Britain. We could see by their acts in the past that we could not depend on them, and we would be acting foolishly if we did not take measures to defend our lives and our property. If we were not prepared to tax ourselves for such a purpose we could not expect to prosper.

**Sir G. E. Cartier** said although the hour was late (half-past one o'clock) he must say a few words in reply to the members for Lambton, Centre Wellington and Chateauguy. He proceeded to charge the member for Lambton with inconsistency, because in 1865 he had voted against an amendment similar to his own, then moved by Mr. Dorion to a motion for militia and defence expenditure. He said the amendment was not correct in point of fact, for he had stated what were the localities which it was proposed to fortify. The member for Lambton had not treated him fairly in saying that he had kept this measure back till the close of the session. He (Mr. Cartier) had introduced his militia Bill on the 31st of March. On the 21st of April, it was read a second time, and he then stated the views of Governments as to fortifications. He went on to contend that the present scheme was the fulfilment of the arrangement entered into with the British Government by himself, Sir John A. Macdonald, Hon. George Brown and A. T. Galt, who entering into that arrangement carried out the votes previously given in the Parliament of the late Province of Canada. He was sure if Mr. Brown was now in the House he would discountenance the amendment moved by the member for Lambton. (Cries of "No, no.")

**Mr. Mackenzie** replied briefly amid cries of "Divide." While admitting that this country ought to contribute to the defence of the Dominion, he was not at all prepared to go the length of accepting the Government proposition, which called for a lump sum, and gave no information as to its expenditure. He maintained that the Minister of Militia made a most absurd statement in pretending that the arrangement of four Canadian Ministers in England, two years before Confederation could bind the Maritime Provinces. A more absurd statement than that of the Minister of Militia it would be difficult to conceive.

**Sir J. A. Macdonald** reminded the House of the decision previously come to as to adherence to the strict rules of debate, which the member for Lambton had insisted on violating, to the extent even of threatening that if he could not obtain his opportunity by fair means he would secure it by foul. He had then in controversion of order and arrangement used the occasion he had exhorted to repeat his old arguments, and rehearse his former speech. Referring to Mr. Mackenzie's assertion that the motion of 1865, for which he had voted, was but a diplomatic move intended for the deception of the English people, he indignantly repudiated the statement, which, if true, would convict the member for Lambton as party to a fraud. The honourable Premier, amid cheers, proceeded to read the report of Mr. Mackenzie's speech on that occasion, in which he had protested his confidence in the then Government. On behalf of that Government he utterly denied any imputation of such base and degraded conduct as was implied in the accusation that they had desired to swindle the people or Government of England. (Loud cheers).

**Hon. Mr. Galt** (amid much applause) read from the report of the debate referred to, his own declaration, that the money for which appropriation was sought should be held absolutely at the disposal of the Government for the purposes indicated.

**Hon. Mr. Dorion** having defended Mr. Mackenzie's position, and Hon. Mr. Johnson having several times attempted to speak, and each time being ruled out of order.

**Mr. McDonald, (Antigonish)**, who had heard for the first time, of the old Canadian \$1,000,000 vote, thought that this share of the total \$5,000,000 should be borne exclusively by Ontario and Quebec, in addition to their proportion of the remaining \$4,000,000.

**Mr. Metcalfe** inquired of the Minister of Militia how much was to be spent in fortification at Toronto and Kingston? At Montreal the amount was to be 440,000 pounds sterling.

**Sir G. E. Cartier** replied that the greater portion would have to be spent at Kingston and the balance at the other places.

**Mr. Metcalfe** could not understand how it was Government could be so positive in regard to the expenditure in Montreal, while they could not tell the expenditure in Toronto and Hamilton. (Cries of "Call in the members.")

**Mr. Rymal** thought it strange the Minister of Militia could not answer the question. (Cries of "Call in the members.")

**Sir G. E. Cartier** merely repeated his former answer.

The House then divided on the amendment moved by Mr. Mackenzie, which was lost—Yeas, 51; Nays, 102.

**Yeas**—Anglin, Bechard, Bodwell, Bourassa, Burpee, Cameron (Huron), Cameron (Inverness), Cheval, Coffin, Connell, Coupal, Croke, Dorion, Ferris, Forbes, Fortier, Geoffrion, Godin, Holton, Johnson, Jones (Halifax), Kempt, Kierzkowski, McDonald (Glengarry), McDonald (Antigonish), Mackenzie, McConkey, McClellan, McMonies, Metcalfe, Mills, Morison, Oliver, Paquet, Parker, Power, Pozer, Redford, Ross (Victoria, N.B.), Rymal, Savary, Scatcherd, Senecal, Snider, Stirton, Thompson (Ontario), Tremblay, Wells, White and Young—51.

**Nays**—Messrs. Archangeault, Ault, Beaty, Beaubien, Bellerose, Benoit, Bertrand, Blanchet, Bowell, Bown, Brousseau, Brown, Burton, Caldwell, Cameron (Peel), Campbell, Carling, Cartier, Caron, Cartwright, Cayley, Chamberlin, Chauveau, Cimon, Costigan, Crawford (Brockville), Crawford (Leeds), Currier, DeNiverville, Desaulner, Dobbie, Drew, Dufresne, Dunkin, Ferguson, Fisher, Fortin, Galt, Gaucher, Gaudet, Gendron, Gibbs,

Grant, Gray, Grover, Holmes, Howland, (P.E.), Ryan (Kings, N.B.), Ryan (Montreal Huot, Hurdon, Irvine, Jackson, Keeler, Kirkpatrick, Langevin, Langlois, Lapum, Lawson, Thompson (Haldimand), Tilley, Wallace, Little, Macdonald (Sir J. A.), McDonald (Middlesex), Macfarlane, Magill, Masson (Soulanges), Masson (Terrebonne), McCarthy, Workman and Wright—102.

McDougall, McGreevey, McKeagney, McMullan, Merritt, Morris, Morrison (Niagara), Munro, O'Connor, Perry, Pinsonneault, Pope, Pouliot, Rankin, Read, Renaud, Robitaille, Rose, Ross (Champlain), Ross (Dundas), Ross

The House then went into Committee—Col. Gray in the Chair.

The resolution was passed, and the report ordered to be received on Monday.

The House adjourned at 3 o'clock.

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## HOUSE OF COMMONS

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Friday, May 8, 1868

The Speaker took the Chair at 3 o'clock.

### PETITION AGAINST JUDGE DRUMMOND

**Mr. Chamberlin** moved the reception of a petition from Mr. J. K. Ramsay, praying for the impeachment of Judge Drummond:

**Mr. Speaker** said it would be understood that pending the question of its reception, the publication of the petition could not be allowed.

**Hon. Mr. Holton** said he had been surprised to see in a Montreal newspaper, under the telegraphic head, the leading allegations in this petition. He thought it was the duty of the Speaker to ascertain through what means the correspondent of that paper obtained communication of the contents of the petition.

**Mr. Chamberlin** said he would be happy to promote such an investigation. He knew nothing of the matter himself.

**Mr. Morris** said this was a very important petition, and in the absence of the Minister of Justice, he thought the question of its reception should lie over till another day.

This suggestion was agreed to.

### BAGOT ELECTION COMMITTEE

**Hon. Mr. Wood** moved that leave be granted to the Bagot Election Committee to adjourn till the 22nd inst. Carried.

### PROROGATION OF PARLIAMENT

**Hon. Mr. Holton**, before the orders of the day were called, wished to make a suggestion to Government. The session had been prolonged into the business season of the year, and there was now a general anxiety to bring it to a close at the earliest possible moment consistent with the proper discharge of the duties devolving on the House. The hope was expressed from the Treasury Benches a few days ago, that the state of public business might admit of prorogation by the 15th May. He supposed this could now hardly be expected, but he thought they might expedite the prorogation so as to take place very soon

after that date. If the suggestion he now made was adopted by Government, three or four hours to-morrow should be devoted to advancing Government measures.

**Sir G. E. Cartier** said the Government had arrangements about their business elsewhere to-morrow, which would not allow them to accept this suggestion. It was their intention, however, to move with the view of bringing the session to an early close, that after Monday next there be three sittings each day, from 11 to 2, from 4 to 6, and half-past seven till adjournment.

### RATE OF INTEREST QUESTION

**Hon. Mr. Rose** begged to state the course the Government had intended to take with reference to the rate of interest on money. As the House was aware that there was on this subject very considerable difference of opinion throughout the country, and of the state of the law in the various Provinces of the Dominion. In Quebec and Ontario all contracts relating to interest between individuals were free, but there were restrictions as regarded banks and certain corporations. In Nova Scotia the legal rate was 6 per cent. Individuals could not stipulate for or receive a greater rate. If they did so they were subject to the old penalties formerly in force in Canada. But the banks in Nova Scotia under the Bill of the former part of the session might stipulate for and exact 7 per cent. There existed, therefore, this anomaly, that banks could charge a higher rate than individuals could legally stipulate for. In New Brunswick both banks and individuals were limited to 7 per cent. He need not say what his own individual opinions as to usury laws were. He thought with many others that the fewer restrictions we had on money, the better, and that the rate should be regulated by demand and supply. But he was not insensible to the fact that there was great difference of opinion on the subject. He would now explain the course which the Government, under existing circumstances, thought most expedient to take. They were aware a strong feeling existed in Nova Scotia on the subject; they were told by many gentlemen whose views were entitled to

respect, that the result of allowing higher rates than six per cent, would be to cause a good deal of irritation among the rural population of that Province. They were not insensible to the importance of that consideration at the present moment, and thought it undesirable for the House to do anything to cause political irritation just now among the inhabitants of Nova Scotia. At the same time the anomaly existing there was of such a nature that it ought not to be prolonged. Then, as regarded Quebec and Ontario, it was well known that in certain rural districts most exorbitant rates were exacted, from 10 as high, he believed, as 40 per cent. Such a condition of things, no doubt, pressed with very considerable severity on a large class of the community. The Government therefore proposed to take such a course, while it would not secure uniformity throughout the Dominion, would yet meet the varied interests and views of the different sections of the country. It was proposed, as regarded Nova Scotia and New Brunswick that, individuals should be on the same footing as banks, and be allowed to stipulate for and receive 7 per cent. As regarded Ontario and Quebec, it was proposed to allow all mercantile transactions to remain as now, free and unlimited; but, as regarded loans on security of real estate, it was proposed to provide that no greater rate of interest than eight per cent should be receivable. Mr. Rose concluded by reading a resolution to the effect he had stated and gave notice he would move it on a future day.

**Mr. McConkey**—Will the restriction apply to building societies?

**Hon. Mr. Rose** said it was not proposed to interfere with building societies or other corporations having now special privileges.

#### ALIENS AND NATURALIZATION

On motion of **Sir J. A. Macdonald** the Bill respecting aliens and naturalization was referred back to Committee of the Whole.

Messrs. Mackenzie, Cameron, Mills and Dunkin, advocated a change in the measure, settling this naturalization question once and forever. Negotiations between the Government of the Dominion and the Empire ought, it was contended, to be opened in order to bring about this settling. In the Provinces there were at present a considerable number of American and other persons considered as naturalized, and it was only just that they

[Mr. Rose (Huntingdon).]

should be fully naturalized. At present, according to American laws, these persons were regarded as continuing to be American citizens, and, by reason of acts done by British subjects, or their own acts as British subjects, these persons so considered naturalized, were liable, if on the other side of the line, to the heaviest pains and penalties, while the Dominion, in whose service they might be at the time, would be powerless to assist them.

**Mr. Young** thought the present law decidedly defective in the particulars mentioned, and trusted that a remedy would be applied. The difficulties in the way of naturalization ought to be made as few as possible, but this Act put difficulties in the way which were not experienced before. Under it a person had to go before a County Judge to take the oaths. He (Mr. Young) did not see the necessity for that. The old law under which a person was permitted to go before a magistrate and take the oaths was better. It was self-evident that the simpler the law was made the better. He would not therefore urge anything at length regarding these points.

**Sir John A. Macdonald** said that it was obvious they could not extend their privileges of naturalization beyond their own boundary. The Government had given the largest measure of naturalization they could. They did not limit the naturalization of the alien to the bounds of the Dominion, though that of course would be the effect of the law, but there had been no limitation by express words. On a former occasion he (Sir J. A. Macdonald) with Sir G. E. Cartier and the Hon. Mr. Brown, had pressed this naturalization matter on the Imperial authorities; but the difficulties in the way were so great that they did not succeed.

**Mr. Mackenzie** said that the present law would certainly entail great inconvenience in large counties in the West, such as Huron, Lambton and Bruce, where persons would have to travel a great distance in order to get a proper certificate at the Quarter Sessions. Besides there were several points connected with naturalization which required to be cleared up, but which were not touched by the Bill before the House.

**Hon. Mr. Chauveau** advocated such a law as would make British subjects in Canada British subjects all the world over, and regarding the present Bill as the nearest approach which could be yet made towards this consummation, he would vote for it.



**Hon. Mr. Johnson** asked why did they want naturalization? Did they want any number of Fenians who were no better than wild beasts to crowd in here?

**Sir John A. Macdonald** ultimately moved that the Order for the third reading be discharged, and that the House resolve itself into Committee on the Bill with the view of amending it. Carried.

The House went into Committee and amended the Bill. The amendments were read a first and second time and the Bill passed.

#### COMMITTEE OF SUPPLY AGAIN

**Hon. Mr. Rose** moved that the House again go into Committee of Supply on the estimates for 1868-69.

**Hon. Mr. Holton** asked if it was the intention to go on with the items relating to the proposed new militia staff. These officers had not yet been created, and it would be irregular and inconvenient to vote the supplies for a service, the expediency of which had not yet been affirmed. If these items were postponed until the resolutions connected with the militia Bill were passed, it would perhaps save a double discussion.

**Sir John A. Macdonald** said this course would be inconvenient. Supposing the militia resolutions did not pass, then these estimates would be useless.

**Sir G. E. Cartier** said he would not move concurrence in these items unless the militia resolutions passed.

The House then went into Committee and passed the following items—militia and gun boats, from item 44 to 45.

The next four items were said to be extraordinary by the Minister of Militia, especially barrack accommodations, rents, etc., \$800,000. This item he said must be reduced to a better understanding with the Imperial Government. The remaining items under this head passed, also pensions, \$17,225.22.

On the item stock, Western extension, European and North American Railroad, \$120,000.

**Mr. D. A. McDonald** called for more information. It was an enormous sum.

**Hon. Mr. Holton** said that a former debate showed Nova Scotia to be already one million and a quarter dollars ahead of her allowance under the Union Act, and New Brunswick was three-quarters of a million ahead. Besides he might add, in the old Province of Canada they were never called on to vote

such tremendous sums, in so magnificent a way as here proposed. Let the members for New Brunswick who were always probing matters and insisting on economy see to it that in this instance the House was not being asked to be too trustful, if not extravagant. For his own part he knew nothing about the figures.

**Mr. Savary** said it was true the debts of the Maritime Provinces exceeded what they were allowed to enter the Union with; but Quebec and Ontario were in the same position.

The House rose at six o'clock.

After Recess,

#### VARIOUS BILLS ADVANCED A STAGE

The following Bills were read a second time, considered in Committee of the Whole and reported:—Bill to incorporate the Merchants' Express Company of the Dominion of Canada, as amended by the Committee on Banking and Commerce—**Mr. A. Morrison**; Bill to incorporate the Canada Shipping Company, as amended by the Committee on Banking and Commerce—**Mr. Workman**; Bill to incorporate the Bank of Agriculture, as amended by the Committee on Banking and Commerce—**Mr. White**.

The following Bills were read a second time, passed through Committee, read a third time and passed:—Bill to confirm a certain by-law passed by the Directors of the Lake Memphremagog Navigation Company, and amended by the Committee on Banking and Commerce—**Mr. Colby**; Bill to amend the Acts relating to the Niagara District Bank—**Mr. Street**.

#### INTERNAL ECONOMY OF THE HOUSE

**Sir J. A. Macdonald** introduced a Bill relating to the internal economy of the House of Commons.

#### COMMITTEE OF SUPPLY

The House again went into Committee of Supply.

On the item relating to subsidies to N.B. Railways,

**Hon. Mr. Holton** asked information, and urged the necessity of proper precautions, lest, after the subsidies had been expended, the Companies should be unable to fulfil their obligations and the works should fall in an unfinished state on the hands of the Dominion Government.

After some remarks by **Hon. Mr. Fisher**,

**Hon. Mr. Rose** explained the arrangements under which New Brunswick before the Union had granted a subsidy of \$10,000 a mile to certain railroads as a free gift, and, in addition, took shares in the Western Extension road to the amount of \$300,000. The payments made by this Government, in fulfilment of these arrangements, went to make up the debt of seven millions, with which New Brunswick was entitled to come into the Union—her actual debt on 1st July last having been only \$5,500,000. The utmost precautions were being taken to see that the money was properly expended, in order to avoid the eventuality alluded to by the member for Chateauguay. The Government required a certificate from the engineer, designated in the local Act of Parliament, as the person who had to certify the progress estimates. They required also a statement from the Local Government, that the money was required, and, finally, they required also a certificate of their own engineer of Public Works, who had to examine the progress, estimates, and see that the work was being done according to the Act of Parliament.

**Hon. Mr. Holton** referred to the history of the Grand Trunk, and said that one fine day, after having spent a great deal of money, we learned that we had to add 900,000 pounds sterling more under penalty of losing the benefit of all that had been previously expended. He hoped we might not have a similar experience in the present instance. In that case the loss would be ours, not New Brunswick's—for under the Union Act all railway properties, debts, etc., etc., became the property of the Dominion Government.

**Hon. Mr. Rose** made some remarks in reference to this point which were inaudible in the gallery, and repeated that the utmost vigilance was being exercised by the Dominion Government. He then stated as regarded the Nova Scotia Railway, that from Windsor to Annapolis the Nova Scotia Government had granted a block sum of 185,000 pounds sterling for the railroad, to be advanced in bonds of the Province, and 30,000 pounds sterling in cash for the Iron Bridge. In expending this money, the Dominion Government had adopted the same rule as he had explained with reference to New Brunswick. They required the statement of the Local Government that the money was payable under the contract, such a certificate as to progress estimates from the Provincial Engineer as would justify the payment, and finally a certificate from the Dominion En-

gineers. With all these precautions no great risk could be incurred.

**Mr. D. A. McDonald** deprecated any rash or extravagant expenditure in the Lower Provinces, and referred to our growing taxes to indicate the danger there was of the expenditure of the Dominion becoming much greater than the promoters of Confederation had contemplated.

**Mr. McLellan** gave some explanations as to the position of the Nova Scotia Railway, and said that since the Union Nova Scotia had been run so deeply into debt that it was almost a financial impossibility for her to meet all her engagements under Confederation. If Nova Scotia had the control of her own affairs, they would have managed them more economically.

On the item for the Intercolonial Railway survey,

**Mr. Mackenzie** thought some particulars might be vouchsafed concerning this mysterious survey. By a document brought down to the House he noticed that the Minister of Public Works had requested special information concerning this survey from Mr. Sandford Fleming for the use of a certain member of the Government. Who was he?

**Hon. Mr. McDougall** entered into a statement, the purpose of which was that in about a month definite information would be received concerning the survey. As to the special information concerning the route, he was not in a position to say who it was obtained for.

**Hon. Mr. Holton** said that, that being the case, he would undertake to enlighten the member for Lambton. (Laughter). He (Mr. Holton) was told that the Ministers requiring this special information were the Minister of Public Works, the Minister of Customs, the Minister of Inland Revenue. (Hear, hear). He defied honourable gentlemen opposite to deny this, or to deny that there was, as had been recently stated by the Minister of Justice, a minority in the Cabinet—(hear, hear)—and still further, that that minority was composed of the two honourable gentlemen representing Ontario. (Hear, and cheers). Here was a cabinet with, as they had been told, a majority and a minority completely powerless. (Hear, hear). If that were a fact, and he challenged contradiction, it was a grave one. What then became of the theory advanced by the Minister of Militia that there should be territorial representation in the Cabinet? The

two gentlemen had no following whatever in the House from their own Province, and hence they had become utterly devoid of influence in the Cabinet. (Hear, hear). And all this time there was the Minister of Militia with his large following from Quebec, who sways the Cabinet as he pleased. (Hear). Now such a state of things was an outrage on their system of Government. It was the very essence of that system that the Cabinet should be a unit; but the Minister of Justice let out the fact that there was a division in the Cabinet, and let the House into the secret of the utter want of influence in the Cabinet enjoyed by the nominal representatives of Ontario. (Cheers).

**Hon. Mr. Johnson** insisted that the Cabinet should be united on this question. A Government that would not stand together, shoulder to shoulder, in support of their views, was not worthy the support of any intelligent body of men.

**Dr. Parker** read from a speech of Mr. Adderly, in the debate on the Intercolonial Railway guarantee measure, to show that the expectation of the British Government had been that the Dominion Government should obtain from this Parliament the sanction of a route to be recommended to the Imperial authorities. Yet their first act in connection with this question had been to remove it from the control of this Parliament altogether. The Government were treating the House and country improperly in withholding information from the House as to the course they were pursuing.

**Mr. D. A. McDonald** thought the Government acted wisely in sending out a corps of Engineers to get the best possible information as to the route. They could not have come properly to a decision without getting information from skilled engineers. He thought Mr. Sandford Fleming was the right man in the right place when employed to make the survey.

**Mr. Jones (Leeds)** said the people of this country were fast coming to the conclusion that the survey of the Intercolonial Railway was costing too much. Already it had cost \$200,000. A good engineer passing through a country could form a pretty correct idea where the road should be located without a minute survey. He regretted there should be so much expense and delay. He thought it would have been better if Government had left the route to the decision of the House.

The item then passed.

99038—431

On the item for Canals, \$223,000,

In reply to Mr. D. A. McDonald,

**Hon. Mr. McDougall** said, by reports from officers of the department, it appeared that \$121,000 was the sum that would be required to complete the St. Peter's Canal, in addition to what had been appropriated by Nova Scotia, \$102,000.

**Mr. Young** asked if this amount would go to swell the debt of Nova Scotia?

**Hon. Mr. McDougall**—No.

**Mr. Young** asked why it was on a different footing from the railway grant?

**Hon. Mr. McDougall** said the canals by the Union Act became the property of the Dominion, and the Dominion had to incur the cost of their completion and repairs. It was the same with the Nova Scotia Railroad, but the Windsor and Annapolis Railroad was in a different position, being a subsidized railroad under contract by a company, and the subsidies were paid in pursuance of obligations incurred by the Province of Nova Scotia.

In reply to Mr. Thompson, (Haldimand),

**Hon. Mr. McDougall** said he expected the Welland Canal enlargement would be completed in the course of next season.

The item passed.

On the item Parliament and Departmental Buildings, \$100,000.

**Mr. Bodwell** questioned the propriety of expending more money just now on these buildings. It was doubtful whether the Federal Government should remain at Ottawa. It was looked upon by many as not the most eligible place. They believed it would be more desirable to have it located where an intelligent public opinion might be brought to bear on Parliament and the Government, which was most likely to be found in one of our large commercial centres of population. It had been more than hinted that there were parties in one of our principal commercial cities who were willing to accept these buildings and give in exchange for them, in that city, another set of buildings quite equal to these for the use of the Legislature and Government. The reports of the debates in the journal of this city did not seem to indicate that the public feeling in this place was sufficiently strong or impartial to compel the organs of public opinion to give equal justice to the members last night, for example, the House had listened with pleasure to the very

able, eloquent and learned speech of the member for Centre Wellington, displaying as it did such marks of the ability and labour which had been bestowed upon it, and the journals of this city gave a report of that very able speech, occupying just nine or ten lines, while others far shorter and displaying much less research, occupied half a column. In the same reports, the attacks on the member for Lambton were given very fully, and his reply was scarcely noticed. He thought the seat of Government should be located where public opinion would be at least strong enough to compel the journals to give impartial reports. These things all tended to strengthen the probability of a removal from Ottawa, and in view of them and of the probable extension of the Dominion, he thought it would be unwise to spend more money on these buildings just now.

**Hon. Mr. McDougall** said there was no proposition to spend money on these buildings, except what the Government actually owed for work already done and for work absolutely necessary to keep the buildings in repair—an expense which he regretted to say was very considerable. It would also be necessary to meet the views which had been expressed in the House as to fencing the grounds and planting them with trees or shrubs. Beyond this, Government did not propose to incur any further expenditure at present. The honourable gentleman's remarks therefore, as to the removal of the seat of Government and unfair reporting of the debates, were hardly pertinent to the particular item.

**Mr. D. A. McDonald** would inform the honourable gentleman (Mr. Bodwell) that such a thing as public opinion was unknown in this section of Canada. For his own part, he hoped before he left public life to see the seat of Government leave this city and go to Montreal or Quebec. Was this the place for a seat of Government? Not for a moment. He was killed with the hospitality of the place. (Laughter).

**Mr. Gibbs** jokingly alluded to the vote he once gave for half a million to finish the Parliamentary buildings. That vote almost choked him. (Laughter). He had been in the habit of paying 2½ per cent commission in the way of business; but what the particular vote in question cost him when he last appeared before his constituents, he thought it would be difficult to tell. (Laughter). It must have cost him at least the 2½ per cent. (Laughter). He for one hated these Parlia-

mentary Buildings, towers, grounds, and all—(loud laughter)—and hoped he would not be asked to vote any more money on their account.

**Hon. Mr. McDougall** said that the sum now asked was to cover the balance due various parties, and to fence the grounds with a railing.

**Mr. Mackenzie** hoped the Minister of Public Works would at the next stage of this measure be prepared to give the House more satisfactory explanations regarding this sum. It was a fact, not perhaps generally known, that the annual cost of the maintenance of the Parliamentary and Departmental buildings was some \$10,000 or \$15,000 more than the entire cost of the buildings occupied by the Legislature of Quebec. Then the slating was more than half destroyed, and would have to be renewed in a year or two. Besides, owing to the adoption of the Gothic style of architecture, a style only suitable for ecclesiastical buildings, they had not only too little light in all the rooms, but the walls were so damp that the employees who lived in the buildings were almost continually ill. (Hear, hear). Under all the circumstances, it was questionable whether further expenditure should be incurred in such structures in such a place.

**Mr. Chamberlin** said a fence might be a very ornamental and desirable thing, but a library was better. At present, the books in the library were rapidly getting spoiled by water and hot air, and were so crowded together that there was no getting at them.

**Mr. Blanchet** said that in every way the Legislature was better off in Quebec.

The item was adopted with the remaining items—for harbours, piers, and lighthouses, \$120,000; roads and bridges, \$6,000; slides and booms, \$15,000; rents and repairs of public buildings, \$80,500; surveys and inspections, \$15,000; arbitrations and awards, \$14,000; miscellaneous charges, \$10,000; ocean and river steam service, \$129,600; lighthouses and coast service, \$204,622; marine hospitals, \$37,000; fisheries, \$36,800; culling timbers, \$75,000; railway and steamboat inspection, \$11,550; seigniorial indemnities, \$6,000; Indians, \$8,400; miscellaneous, \$211,312.44; collection of revenues, \$563,261; inland revenues and remaining items to 125.

The Committee rose and reported progress, and obtained leave to sit again on Monday.

The House adjourned at 12 minutes past two o'clock.

## HOUSE OF COMMONS

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Monday, May 11, 1868

The Speaker took the Chair at 3 o'clock.

### IMPEACHMENT OF JUDGE DRUMMOND

**Mr. Chamberlin** moved the reception of the petition of T. K. Ramsay, preferring sundry charges against Judge Drummond, and praying his impeachment.

**Mr. Colby** begged to state reasons why this petition should not be received. This was a petition in which an advocate of Montreal preferred very grave charges against one of the Judges of the Queen's Bench of the Province of Quebec, and which the petitioner desired to serve as a basis of impeachment. He would not allude to the charges of the petitioner; but in the course of his petition, he brought forward other matters entirely foreign to the subject. The right of petition should not be abused, and he considered the petitioner went beyond his right when he proceeded to assail the Court of Queen's Bench of which Judge Drummond was a single member. After having detailed his personal grievances, he stated that he appealed by writ of error against a fine of 10 pounds imposed on him by Judge Drummond, and that through the influence and machinations of Judge Drummond the Court of Queen's Bench quashed said writ of error and refused petitioner his right to appeal to the Privy Council. He thus charged the Court of Queen's Bench with having rendered an unjust judgment, not by inadvertence, but through the influence and machinations of one of their associates, imputing to them either ignorance of a gross kind, or what was worse—that from improper motives they rendered a false judgment. The petitioner also assailed a son of Justice Drummond, stating that he made a false affidavit in a certain case of execution, and that by means of the said false affidavit Judge Drummond, by false representations, obtained from Judge Smith an order to stop all proceedings on said execution. The petitioner thus accused Judge Smith of having been improperly influenced by Judge Drummond to render a judgment which he ought not to have done. These charges against Judge Smith and the Court of

Queen's Bench were not followed up by a request to have them acted upon. He (Mr. Colby) contended, therefore, that the petition embodying them could not be received by the House, and he quoted in support of his argument decisions by the English House of Commons on similar cases.

**Hon. Mr. Johnson** also argued that the petition should not be received.

**Hon. Mr. Irvine** said this was a subject which should be dealt with by the House with the utmost possible caution. On the one hand, if a petition of this kind were received, which ought not to be entertained, a very injurious blow was improperly given to the administration of justice; on the other hand, if they rejected a petition which ought to be received, they took away from the party presenting it the only means of arriving at the redress of a grievance of which he might have a right to complain. The House being the only body capable of giving redress should not be hasty in setting aside a petition of this kind. After examining this petition with the utmost possible care, he had come to the conclusion that it ought not to be received. He proceeded to give his grounds for arriving at this conclusion, which were substantially the same as those which had been urged by Mr. Colby.

**Sir J. A. Macdonald** said it appeared to some, this petition was liable to the objections which had been taken to it, by the member for Stanstead and the Solicitor-General for Quebec. Of course, none of Her Majesty's subjects who conceived that wrong had been done them by a judge should be excluded from coming before the High Court of Parliament for redress; but on the other hand, it was clearly the duty of Government and Parliament to protect the Bench and every member of it from improper attacks. It appeared to him that a great portion of this petition contained improper matter, and that this improper matter was so commingled with that it could not well be separated from the charges which might purely be the subject of investigation, or at all events of reception and consideration by Parliament. He asked that

the question of receiving the petition be allowed to stand over, that he might look into the authorities before coming to a final conclusion, as whatever the decision in this case might be, it must in a great degree guide future decisions of the House in similar cases.

**Mr. Chamberlin** said this was a very painful matter; but after the general attacks which had been made in this House on the Lower Canada Bench, he thought the person who came forward and asked the House to give grave consideration to specific complaints should receive assistance from the House, rather than be put down. The honest way was to bring specific complaints to be adjudicated on by Parliament, and this was what was done in this petition. He would be glad to have the assistance of honourable members to point out what was wrong in the petition, that it might be expunged.

#### THE PARLIAMENTARY LIBRARY

**Mr. Blanchet** moved the adoption of the 1st report of the Committee on the Library of Parliament. He said the Committee recommended that henceforth, as a general rule, no books on science and art should be allowed to be taken out of the Library, except under peculiar circumstances, and in case of works not easily accessible elsewhere. Only novels and books of ordinary reading should be allowed to leave the Library, and these only in Ottawa. The Committee also recommended that, as soon as possible, the Library accommodation should be enlarged by going on with the Library building. At present there was so little room that it was impossible to keep the books in good order.

**Mr. Mills** thought that if members were to be excluded from taking out valuable, scientific and legal works, the value of the Library would be to a great extent done away with. He would therefore oppose the report.

**Hon. Mr. Fisher** concurred in the remarks of the member for Bothwell. He hoped the Library building would not be proceeded with. In some of the spare Committee rooms of the building, there was abundance of room for such of their books as could not obtain room in the present Library chamber.

**Mr. Chamberlin** hoped the views of the last speaker would not be adopted by the Government. It seemed to him that there was no propriety in throwing the Library open to the citizens of Ottawa during the vacation while members were excluded from it.

[Sir J. A. Macdonald (Kingston).]

**Dr. Parker** hoped the House would not adopt the report of the Library Committee. While members were in Ottawa their time was so employed that they could make little use of the Library, and at the time they could make use of it they would be shut out by the report.

**Mr. Young** argued that the report now brought in would make the Library utterly useless to members of the House.

**The Speaker** explained that it was not proposed by this report to embrace works of general literature, but rare scientific works—works of reference. Manifestly if members carried away several boxes of such works which would not be returned till next session, a great injustice would be done to members repairing to the library to consult such works.

**Mr. Young**, seconded by **Mr. Mills**, moved that the reports be not now adopted, but be referred back to the Committee.

**Mr. Mackenzie** suggested that the report should be withdrawn.

**Sir J. A. Macdonald** explained that this was a Library for the Dominion, and should not be a circulating Library to be carried home by members, knocked about by their children for a year, and then lost or returned torn and defaced. Let members of Parliament be allowed to get from the Library on an order from the Speaker, and having given a receipt, such books as they really required in following up any study. There could be no objection to that course; but there must be a limit, and every effort must be made to preserve those rare and valuable works of reference without which the Library would be useless. He would suggest that, as some of the provisions of the report were too stringent, it should be referred back to the Committee. He also spoke against granting sums to authors to aid in the publication of their works. As a rule, any work of value was pretty sure to be patronized by the public, and nothing was gained by encumbering the Parliamentary shelves with worthless works.

**Mr. Jones** repudiated, for his part, the statement that he had any hand in the defacing of any of the books in the Parliamentary Library. He thought the members should at all times have full access to the Library. He took out very few books and made good use of them.

Mr. Ferguson was sorry for the sake of the member who spoke last that he was not in a position to do much damage in that direction. He repudiated the honourable gentleman as a roving bachelor. (Laughter). For his (Mr. Ferguson's) part, he hoped the suggestion of the leader of the Government would be adopted.

The amendment and report were withdrawn.

#### VERCHÈRES ELECTION

Mr. John Crawford presented the final report of the Verchères Election Committee, finding—1st. That F. Geoffrion, Esq., sitting member, has been duly elected; 2nd. That the petition against him was frivolous and vexatious. The first resolution was adopted by yeas Messrs. Bodwell, Drew, Coupal and Crawford; nay Mr. Brousseau. The second by yeas Messrs. Bodwell, Drew, Coupal; nays Messrs. Brousseau and Crawford.

#### CANADA WEST FARMERS' INSURANCE COMPANY

Mr. Rymal moved that the 60th rule, requiring a Bill to hang ten days in the lobby be suspended with reference to the Bill respecting the Canada West Farmers' Insurance Company. Carried.

#### CANADA VINE GROWERS' ASSOCIATION

Mr. O'Connor introduced a Bill respecting the Canada Vine Growers' Association, and moved the suspension of the 60th rule with reference thereto. Carried.

#### STRATFORD BOARD OF TRADE

Mr. Redford introduced a Bill to incorporate the Stratford Board of Trade, and moved the suspension of the 60th rule with reference thereto. Carried.

#### CANADA SHIPPING COMPANY

On motion of Mr. Workman, the Bill to incorporate the Canada Shipping Company was read a third time and passed.

#### BANK OF AGRICULTURE

On motion of Mr. White, the Bill to incorporate the Bank of Agriculture was read a third time and passed.

#### MERCHANTS' EXPRESS CO. OF CANADA

On motion of Mr. Morrison, the Bill to incorporate the Merchants' Express Company

of the Dominion of Canada was considered in Committee, and having been reported was read a third time and passed.

#### SUNDAY LABOUR

In reply to Mr. Morris,

Hon. Mr. Rose stated it was the intention of Government to discourage as far as practicable Sunday labour on the Carillon and Grenville Canal, and all other Canals.

#### POINT IROQUOIS CANAL DRAINAGE

Mr. Ault, in the absence of Mr. J. S. Ross, inquired whether it is the intention of the Government to complete proper and efficient drainage on the north side of Point Iroquois Canal embankment.

Hon. Mr. McDougall said this subject had come under the notice of the department, and an engineer had been instructed to take steps for doing what might be found to be necessary.

#### DREDGING OPERATIONS

Mr. Stephenson moved for returns of money expended under the appropriations made by the Parliament of Canada in 1861 for dredging operations, etc.—Carried.

After recess,

#### PRINTING COMMITTEE'S 13TH REPORT

Mr. Mackenzie moved the adoption of the sub-report annexed to the thirteenth report of the Printing Committee, as amended and adopted in the Senate. He explained that, as adopted in the Senate, the report left Mr. Hartney, the Clerk of the Committee, on the \$100 allowed him specially by Committee, the 12½ per cent which was deducted from the rest of his salary. The object of his motion was to make the action of the two Houses uniform, the difference being only \$127.50.

After the question had been debated upwards of an hour and a half, and over twenty members had spoken, the House divided. Motion lost—yeas, 51; nays, 72.

#### THE CASE OF W. WESTON

Mr. Chamberlin moved an address for a report of Mr. Dowe or any other officer in the Post Office Department upon the case of W. Weston.

Sir John A. Macdonald hoped the honourable gentleman would not press the motion. These reports must necessarily be confidential, and any such as would be laid before Parliament would be in the briefest form.

Motion stands.

#### EXPENSE OF WORKS ON BLACK RIVER

Mr. Mills moved for a return of the amount paid since July, 1866, for works connected with the descent of timber on the Black River, County of Pontiac. Carried.

#### INTERCOLONIAL R. R.

Mr. Mackenzie moved for a return of the Orders-in-Council and correspondence regarding the Intercolonial Railroad, and the Imperial Guarantee Act since 1st July, 1867—Carried.

#### HARBOUR OF MABOU

Mr. Cameron (Inverness) moved for copies of correspondence relating to the improvement of the Harbour of Mabou—Carried.

#### CANADA LIVE STOCK INSURANCE

Hon. Mr. Carling introduced a Bill to incorporate the Canada Live Stock Insurance Company, second reading to-morrow.

#### COUNTIES OF QUEBEC AND PORTNEUF

Hon. Mr. Chauveau's Bill to annex a portion of the Seignory of Belair to the County of Quebec, and another portion thereof to the County of Portneuf, was read a third time and passed.

#### INCORPORATED COMPANIES

Hon. Mr. Abbott moved the second reading of the Bill to facilitate the winding up of the affairs of incorporated companies (from the Senate). He explained that the process was adopted from the English Act for winding up Joint Stock Companies, and enabled the company or stockholders to wind it up more simply or summarily than could be done at present by the issue of a prerogative writ. He intended to ask its reference to the Committee on Banking and Commerce.

Hon. Mr. Holton said that as the Bill was to be referred in that way, he would reserve his objections.

Hon. Mr. Dunkin had many faults to find with the Bill. It went altogether too far, and would he hoped, be largely amended before it passed.

#### GOVERNOR-GENERAL'S SALARY

Mr. Dufresne's Bill to fix the salary of the Governor-General was read a second time.

Mr. Dufresne moved that the House go into Committee on the Bill.

Hon. Mr. Dunkin objected.

Mr. Dufresne maintained that he was in order, and not at the mercy of the honourable gentleman.

Hon. Mr. Holton said that the motion was perfectly in order.

Sir John A. Macdonald hoped that the objection would be withdrawn.

Hon. Mr. Dunkin went into the merits of the question, and argued that members would be belittling themselves by fixing the Governor-General's salary at \$32,000 a year. Besides, the Governor-General of Canada was quite as much entitled to 10,000 pounds a year as the Governor of Victoria. Canada was a colony which would compare favourably with that sister colony.

Mr. Metcalfe maintained that the honourable member for Brome had drawn an unfair comparison. There was really no fair comparison between Canada and Victoria, the city of Melbourne was far superior to any city in British America and had twice the population of any of them, and the comparison between the Governor-General of the Dominion and the representative of Her Majesty in a similar position in Victoria was still more unfortunate. The Governor-General of Victoria had to pay some of his servants 100 pounds a year, and when he was in Melbourne he remembered that even a coachman could not be got for less than 6 pounds a week, and that almost every article sold was five or six times as dear as in Canada. (Hear, hear). For this reason it would be seen that the comparison of the member for Brome was not at all applicable.

The House then went into Committee, Mr. Jones in the Chair.

On motion of Hon. Mr. Holton, the 2nd clause, repealing the portion of the Imperial Act relating to the question of salary was struck out, the House not having power to make such an enactment.



**Hon. Mr. Campbell** moved, seconded by **Mr. D. A. McDonald**, that the first clause be amended by striking out the words "on and after the first day of July, 1868," and substituting the words "that this Act shall take effect at the present incumbent's term of office."

Lost—Yeas, 35; Nays, 56.

On motion of **Hon. Mr. Holton**, the preamble was amended on a division.

The Committee rose and reported the Bill as amended.

**Mr. Dufresne** moved the reception of the report.

**Hon. Mr. Dunkin** objected.

Mr. Speaker sustained the objection.

### TONNAGE DUES

**Hon. Mr. Rose** moved that the House will to-morrow resolve itself into Committee of the Whole to consider certain resolutions on the subject of tonnage duties now payable in the Province of Quebec, Nova Scotia and New Brunswick—Carried.

### RATE OF INTEREST

On motion of **Hon. Mr. Rose**, it was resolved to consider in Committee to-morrow, a resolution declaring it expedient to amend the laws regulating the rate of interest of money.

### SITTINGS OF PARLIAMENT

**Sir John A. Macdonald** moved, that for the remainder of the session, there shall be two distinct sittings each day except Saturday—the first to begin at 11 o'clock a.m., and end at 2 p.m. The second to begin at 4 o'clock p.m. and continue until adjournment; and that on Saturday there shall be one sitting from noon until 6 o'clock p.m.

**Hon. Mr. Holton** said he approved of meeting in the forenoon, but he objected to making two days out of one. It was against English Parliamentary practice, and he hoped the leader of the Government would be induced to strike out that portion of his motion.

**Sir John A. Macdonald** said that if any attempt were made by the Majority of the House to act oppressively towards the minority under the two sittings a day, the minority had it in their power to defeat such action by speaking up to the hour for adjournment, which would make the first sitting useless.

**Hon. Sandfield Macdonald** expressed himself opposed to making two Parliamentary days out of one natural day.

**Hon. Mr. Dunkin** would have preferred making from three to six one day, and from half-past seven onward another day, so as to dispense with the morning sitting.

**Dr. Parker** said if the motion was carried it would be necessary to allow the Election Committee to be adjourned for the session.

**Sir John A. Macdonald** said the Committee could meet from two till four.

**Mr. Mackenzie** said it would be convenient if Government would indicate what Bills on the list they intended to abandon.

**Sir John A. Macdonald** said he would answer this to-morrow.

The motion was then agreed to.

**Hon. Mr. Holton** moved to add **Mr. Dunkin** to the Committee on Banking and Commerce. Carried.

### DEPARTMENT OF CUSTOMS

**Hon. Mr. Tilley** moved the third reading of the Bill to constitute the Department of Customs.

**Hon. Mr. Holton** moved, in amendment, to recommit the Bill with instructions to amend it so as to provide that the Department of Inland Revenue and Customs be united under one Minister.

**Sir John A. Macdonald** said the House could not accept the amendment after having passed a Bill constituting the Department of Inland Revenue, which had also received the sanction of the other branch of the Legislature. In that Bill the duties of the Department of Inland Revenue were specified and they could not now be increased by the addition of another department. The reason for having two separate departments had already been discussed, and he would not weary the House by repeating them.

**Mr. Mackenzie** said the other Bill had been allowed to pass on the distinct understanding that the question would be raised on this Bill. He held that the number of departments was excessive, and that this was a clear case in which two of them could be united with advantage to the public service.

**Mr. Mills** wished to know why the Cabinet had received the high sounding name of

Privy Council—whether they were to have a Judicial Commission of Privy Council, and whether they proposed to have the varied functions which belonged to that body in England. He objected to the principle of provincial representation in the Cabinet. So long as we had that principle we could not have national parties. If it had not been for this principle of provincial representation it would not have been necessary to have made the Cabinet so large.

The amendment was lost on a division and the Bill was read a third time and passed.

#### CROWN AND GOVERNMENT

**Sir John A. Macdonald's** Bill for the better security of the Crown and Government was read a third time and passed.

#### FORTIFICATIONS

On motion of **Sir G. E. Cartier**, the report of the Committee of the Whole to consider certain resolutions to provide a sum not exceeding 1,100,000 pounds sterling to defray the expenses of constructing works of fortification for the defence of Montreal and other cities, was received, and a bill introduced, founded on said resolutions, ordered for a second reading to-morrow.

#### NAVIGATION OF CANADIAN WATERS

On motion of **Sir J. A. Macdonald**, the House went into Committee on the Bill respecting the navigation of Canadian waters—**Mr. Cameron (Huron)** in the Chair.

The Committee rose and reported the Bill. The report was received and the Bill ordered for a second reading to-morrow.

#### CIVIL SERVICE

The House went into Committee on certain resolutions relating to the Civil Service—**Mr. Blanchet** in the Chair.

The Committee rose and reported the resolutions, and the report was ordered to be received to-morrow.

#### CONSOLIDATED REVENUE FUND

On motion of **Hon. Mr. Rose**, the Bill respecting the Consolidated Revenue Fund was read a second time, and the House went into Committee of the Whole on the Bill—**Mr. Blanchet** in the Chair.

[**Mr. Mills (Bothwell)**.]

**Hon. Mr. Holton** was not disposed to let this opportunity pass without again pressing the Government for a statement of the reason which induced the representatives of the late Government of Canada in London to change the subsidies as fixed by the Quebec Conference. The statement might be made to-morrow or next day.

**Sir J. A. Macdonald** said that although this was a different Government from that in power at the period referred to, still as there were some members of the old Government in the present Cabinet, he had no objection to complying with the request of the member for Chateauguay.

The Committee rose and reported—the report to be received to-morrow.

#### TOBACCO

**Hon. Mr. Howland** moved the House into Committee to consider certain resolutions respecting the importation of tobacco. In doing so he said that making every allowance, the discrepancies between the quantities imported and home grown, and those which the return showed as having gone into consumption, were so great as to afford evidence that much more tobacco was used, and went into consumption than the Government got duty on. The business of manufacturing tobacco could be conducted with so small an amount of capital, and in such a small space that great facilities for defrauding the revenue were afforded. With \$50 expenditure for cutting machines, and a room 8 feet square, several cigar makers might be kept at work, and a considerable business be carried on. There were thus great difficulties in the way of preventing frauds on the revenue. In endeavouring to supply a remedy Government had decided to take control of all the tobacco. He would propose that the importation of tobacco be limited to certain ports with power to the Governor-General to extend that limitation whenever it was shown to be in the public interest; then he would propose that tobacco so imported should be entered in bond, and that the only conditions on which it should be released, were the exportation of the tobacco, and evidence that it had been entered on the books of a licensed manufactory. By this means he hoped to be able to know precisely what amount of tobacco was imported and manufactured, and where it was, and a considerable saving of duty would he apprehended be effected. He moved that the House go into Committee on the Bill.

The House went into Committee, Mr. Campbell, in the Chair.

The Committee rose and reported the resolutions unamended. Report to be received to-morrow.

#### INSPECTORS OF STEAMBOATS

Sir John A. Macdonald's Bill respecting the inspecting of steamboats, and for the greater safety of passengers by them, was read a second time and considered in Committee, Col. Gray in the Chair.

The Committee rose, reported progress, and obtained leave to sit again to-morrow.

#### COPPER COIN

On motion of Sir J. A. Macdonald, the Act respecting the importation or manufacture of copper coin or tokens, was read a second time and considered in Committee.

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

The House adjourned at twenty minutes to 1 o'clock.

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## HOUSE OF COMMONS

Tuesday, May 12, 1868

The SPEAKER took the Chair at 11 o'clock.

### HOCHELAGA ELECTION COMMITTEE

Mr. Irvine moved that the Hochelaga Election Committee have leave to adjourn till 1st of June next. Carried.

### ARGENTEUIL ELECTION COMMITTEE

Mr. Webb moved that the Argenteuil Election Committee have leave to adjourn till 1st of June next. Carried.

### KAMOURASKA ELECTION CASE

Hon. Colonel Gray presented the report of the General Committee of Privileges and Elections on the Kamouraska Election case, specially referred to them. The report was as follows:

That the execution of the writ of election for the electoral district of the County of Kamouraska bearing date 7th of August last, was prevented by divers acts of preconcerted violence and intimidation, directed against the Returning Officer, H. Garon, Registrar for the said County, and his residence. That the evidence adduced before your Committee shows that Pierre Lafrance, Thomas Lebel, Michael Lebel, Isaac Desault, Emile Desault, Benoit Demair, Lazare Brulé, Narcisse Livesque, Narcisse Dubé, Joseph Anctill, Louis Alphinez, Milla Octave Dionne, Thomas St. Pierre, Edward Pelletier, Bruno Groudin, and Eusebe Livesque, among others were guilty of riotous proceedings, and acts of violence, whereby the execution of said writ was so prevented, or were inviting such violence and intimidation at and before the hour fixed for the nomination, on the 31st day of August last. That subsequently, on the same day, and in further pursuance of the design to prevent the execution of said writ, riotous and tumultuous proceedings were had, and various acts of violence committed at and near the house of one Gangue, in the village of Kamouraska, in which Edward Ouelette, Isaac Desault, Romaine Berubé, Octave Bouchard, and O. A. P. Pelletier, the candidate at the said elections, with others, took part. That these acts of violence were of a grave nature, rendering it expedient they should receive the consideration of your honourable House, and your Committee recommend that the law officers of the Crown be instructed to take the necessary proceedings to bring the parties implicated to justice. That the said Henry Garon committed grave irregularities in the execution of his duty as such returning officer. His conduct was calculated to produce distrust and dissatisfaction, and he has shown himself unfit to be again entrusted with the func-

tions of returning officer. That it is expedient a writ should be issued for the election of a member to represent the said electoral division in the House of Commons before next session of Parliament, and that the said writ be not issued before the 1st December and not later than the 1st January next.

### CIVIL SERVICE

On motion of Hon. Mr. Rose, the House concurred in the resolution reported from the Committee of the Whole relative to the Civil Service. Hon. Mr. Rose introduced a Bill respecting the same.

### TOBACCO

On motion of Sir John A. Macdonald, the House concurred in the resolutions reported from the Committee of the Whole, respecting the importation of Tobacco.

### SUPPLY RESOLUTIONS

Hon. Mr. Rose moved concurrence in the resolutions reported from the Committee on Supply.

Hon. Mr. Holton suggested that to save time, as there were two sets of estimates covering in a large measure the same ground, one for the current year ending 30th June, nearly expired, and the other for the year ending 30th June 1869, concurrence in the former set might be taken as nearly as possible *pro forma*, and discussion reserved for what he might term the like estimates for next year.

Concurrence in the whole estimates for 1867 and 1868 was then taken *en bloc*.

On the first item for 1868 and 1869, salaries of four Lieutenant-Governors, \$30,000.

Hon. Mr. Dunkin said he must say a few words on this item. Under the old system, with Governors brought from home receiving sufficient salaries to secure efficient men, Responsible Government has been found to work pretty well; but now we were to attempt a system of Responsible Government in this Dominion without these advantages. The Lieutenant-Governors were to be gentlemen named by the Government of the Dominion, and from the men who had been engaged in the politics of the Dominion, and who were

more or less committed on our local questions. The number of persons in the Dominion to whom this exceedingly difficult post of impartial fair play Government under Responsible Government could be assigned was exceedingly small. The man eligible to be Lieut.-Governor must be a man of certain age, certain social standing, certain peculiar antecedents. He must have been prominent in the politics of the country, and yet not have brought down on his head any considerable amount of hostility. The post was not particularly inviting. His Government would get the credit of anything successful that was done during his administration. His premier had more chance of advancement afterwards than the Lieutenant-Governor himself would have—act as sagaciously and patriotically as he might, the Lieutenant-Governor would have to keep himself very much in the dark. Then he was bound to hold a certain social position. He succeeded to the traditions of the former governors appointed from England, and particularly at Halifax and Fredericton would be expected in the way of entertainments, etc., to keep a style of expenditure to which the salaries here allowed of \$7,000 in the Lower Provinces, and \$8,000 in Quebec and Ontario would be altogether inadequate. It would be necessary to confer the posts on gentlemen having private fortunes of their own—and how few of that class had we in Canada? Or else on the military men who happened to be here who would have their pay to take out of their salaries. In the latter case we would have no selection. The British Government had taken governors from that class, but then they had a wide selection and we would have none. Mr. Dunkin then adverted to what he conceived would be the tendencies of these low salaries, which he thought would be from bad to worse; there would be a tendency still further to reduce the Governor-General's salary until the British Government would not send us a man at all to fill the office. The next tendency would be in the direction of demanding the election of our Governors, and then we would be drawn into the maelstrom of American republicanism and democracy.

**Hon. Mr. Rose** believed that the salaries attached to the position of Lieutenant-Governors had been fixed at a point which would meet the general approbation of the House. (Hear, hear). Besides the salary, there were attached to the position the advantage of a free house, etc., and the position was one which, he thought, would be an object of ambition to the best talent in the

[Mr. Dunkin (Brome).]

country. If, however, in the practical working of the system it would be found that the salaries were insufficient, the good sense and liberality of the House might be relied upon to provide what was necessary.

**Hon. Mr. Chauveau** thought that the salaries ought to be higher. The Minister of Finance had spoken of the facility of raising them hereafter; but it was not so easy to raise them as to cut them down, and the correct scale ought to be fixed at the outset. To allow a salary of \$8,000 was to limit the selection to a very few men—indeed to limit it in favour of wealth as against intelligence, and to exclude those who had been our prominent public men. We never saw our public men entering public life poor and leaving it rich. After having sacrificed their lives in the public service, they would not be in the position on the salary proposed to keep up the proper status of a Lieutenant-Governor. We had seen recently that a subordinate in one of the departments (Mr. Page) had last year received emoluments greater than were to be given to some of the Lieutenant-Governors. He regretted that the Governor-General's salary had been allowed to come before this House. It would have been better if it has been kept on the civil list to be paid directly by Her Majesty, along with the salary of the Governor-General's secretary, and other expenses of the Governor's office. We pretended to belong to a monarchy, and we should be guided by that consideration in what we did in these matters. Let us fulfil these obligations well, and not be aping the style proper to a monarchy without providing the means to keep it up.

**Hon. Mr. Holton** said he was happy to come to the support of the Government against the Treasurer and Premier of Quebec. He thought the Government in fixing these salaries had afforded alike meanness on the one hand and extravagance on the other. If the Government had only graduated the whole scale of expenditure of the Dominion according to the same key, they would have had his support much more heartily.

**Mr. Jones (Halifax)** expressed his concurrence in the views of the members for Brome and Quebec. He did not think on the salaries allowed the Lieutenant-Governors they would be able to keep up a style equal to that of many of the private gentlemen around them. He believed if the salaries had been made higher, the action of Government would have been borne out by public opinion in the Lower Provinces.

**Hon. Mr. Anglin** believed he spoke the sentiment of the part of the country from which he came, when he stated that he believed the salaries were quite sufficient. He did not consider it necessary that the Governors should keep open table. They had other and more important duties to perform. The Government in this matter he thought had acted prudently and with sufficient liberality.

The item was then agreed to, and the remaining items to No. 29.

On item 30, expenses of collecting statistics—both marriages and deaths, \$2,500.

**Mr. Mackenzie** objected. There was yet no general system of registration for the Dominion, and he objected to the expense being under the circumstances incurred for any of the Provinces.

**Hon. Mr. Rose** explained that this item included commercial as well as vital statistics.

The item passed, and the remaining items to No. 33.

The items of supply from 33 to 48, respecting militia and gunboats, were passed over and the House concurred in the items from 49 to 109.

On motion of **Mr. Dufresne**, the House concurred in the amendments made in Committee of the Whole to the Bill fixing the salary of the Governor-General, and the Bill was ordered to be read a 3rd time at the next sitting of the House.

At two o'clock the House adjourned till four o'clock.

#### AFTERNOON SITTING

The Speaker took the Chair.

#### JUDGE DRUMMOND

The question being put on the reception of the petition of **Mr. J. K. Ramsay**, praying for the impeachment of Judge Drummond.

**Sir John A. Macdonald** stated he had examined the petition, and having felt the objections which had been urged against its reception, he could not advise the House to receive it.

**Mr. Chamberlin** said a similar petition had been presented in a former part of this session against the Chief Justice of Nova Scotia, and no action was taken. His honourable friend from Ottawa (**Mr. Wright**) had been vainly endeavouring year after year to get

some remedy for alleged failures in the administration of justice in the District of Ottawa. There was grave reason to fear that if an investigation were not granted in such cases, the people would take the law into their own hands. If they were to teach the people of this country that a judge might do what he liked, might commit injustice, fraud, and every sort of malfeasance, and yet the House would not receive a petition praying its interference, unless it were drawn in some unimaginable way—(Cries of order)—if the efforts of the people to have justice done against the judges of the land were to be continually baffled in this way, there was very serious danger of a complete disorganization of society among us. It was a bad example to set before the people that this, the only tribunal which could grant redress in such a case should persistently refuse to investigate these charges. They had been told that this was a personal matter, and that the petitioner had been influenced by personal feeling. In reply to this he would say it was not a pleasant thing for any one inside or outside the House to bring a high judicial personage before the highest tribunal of the country, and they would never in such a matter get petitioners to come before the House unless they had personal feeling—some feeling of wrong done to them—for which they sought redress.

The Speaker asked if it was the pleasure of the House that the member for Missisquoi should have leave to withdraw the petition.

**Mr. Chamberlin** said he had not asked leave to withdraw the petition.

The Speaker then put the question whether the petition should be received.

**Mr. Chamberlin** said he wanted to get an expression of the opinion of the House in what respect this petition was improper, and what sort of proceedings should be taken to make it regular.

**Hon. Mr. Holton** said the honourable gentlemen ought to know that at this stage of the session members were not disposed to go into theoretical debate as to proceedings which could not be taken this session. The honourable gentleman knew that even if the petition had been received all he could have done would have been to have placed a judge before the country in an unenviable position for eight or nine months, until Parliament assembled. He hoped the House would not gratify his honourable friend by instructing him as to the steps which he ought to take on another occasion.

**Sir G. E. Cartier** said there could be no doubt that these proceedings had arisen from the indiscreet remarks made in this House some time ago with regard to the Judges of Lower Canada, and which he (Mr. Cartier) was obliged at the time to contradict. It was then stated there were 13 Judges in Lower Canada who, from physical incapacity, immorality or drunkenness, were unfit to discharge their duties. When such statements had been made before the country it was not surprising that the petitions presented by the member for Ottawa and the member for Missisquoi should be brought in; but for his own part he must say until he should see the proof, he would not believe anything with regard to these accusations. He took this opportunity of contradicting the rumours that these proceedings were countenanced by the Government. The Government had nothing to do with them.

**Mr. Wright** said he believed the statements made by the member for Hochelaga in the debate referred to were in the main founded on fact; and so far as the allegations contained in the petition he (Mr. Wright) had presented were concerned, he believed them to be true. It was the inherent right of every British subject to petition, and if he were in the position of the member for Missisquoi, he would test the House fairly and equally on the question of receiving this petition.

**Sir J. A. Macdonald** said the objections to this petition were, 1st—that its whole tone was unparliamentary; and secondly, that it contained extraneous matter—charges against the whole Court of Queen's Bench—on which no action was asked. The specific charges against a particular Judge were fair subjects for inquiry, or at least fair grounds for receiving the petition, if they had not been mixed up with extraneous matter. But it was clear the House could not receive a portion of the petition and reject another portion of it. He thought the honourable gentleman should ask leave of the House to withdraw it.

**Hon. Mr. Johnson** contended that the petition should not be received, because the charges in it were not sufficiently specified. They ought to be as specific as in an indictment going before a grand jury, so that the accused party might know the proceedings against which he had to defend himself.

**Hon. Mr. Dorion** said the charges he had brought in the former debate against members of the Bench were just and correct, and the Minister of Militia from the position he

had held as Attorney-General should show that they were so. As for this petition, it was couched in language which showed that it was not public justice but private revenge that was sought against a gentleman who was now the honour of the Bench as he had formerly been the honour of the Bar. If the Government would get a Committee or a Commission appointed to inquire into the administration of justice in Lower Canada, they would find it to be the almost unanimous opinion of Lower Canada that Judge Drummond was one of the most able and efficient men now on the Bench. They would also find that not more than one of the judges ought to be removed, and that several should be replaced. These matters of impeachment were so important that he thought the Government should assume the responsibility of bringing them before the House.

**Hon. C. Dunkin** remarked upon the inconsistency exhibited in the general concurrence of the House in the charges brought against the entire Bench, as compared with the promptness to dispute and impede any particular effort made for the removal of some special scandal. The proper procedure in such cases was extremely doubtful, from the scarcity of precedent, and ought, he held, to be established definitely by enactment. Few people were acquainted with the English practice as applicable to the rare cases which had ever occurred; he himself had only obtained within the past few days any reliable information on the point, on which he had been instructed by perhaps the only gentleman in the country, who had mastered the question—their own librarian.

The petition was then withdrawn.

#### L'ISLET ELECTION

**Mr. Walsh**, from the General Committee on Elections, reported the following as the names of the Select Committee to try the L'Islet Election:—Messrs. Cimon, Caron, D. A. McDonald, Connell and M. C. Cameron, Chairman.

#### PUBLIC WORKS REPORT

**Hon. Mr. McDougall** laid on the table the report of the Commissioners of Public Works for the late Province of Canada for the year ending 30th June, 1867.

#### TOBACCO DUTIES

**Hon. Mr. Howland** introduced a Bill for better securing the payment of the duties on tobacco.



**YAMASKA ELECTION COMMITTEE**

**Mr. Casault** moved that the Yamaska Election Committee have leave to adjourn till the 1st of June next.

**INSPECTION OF STEAMBOATS**

On motion of **Sir J. A. Macdonald** the Bill respecting the inspection of Steamboats was considered in Committee, and having been amended, was read a third time and passed.

**SUPPLY**

**Hon. Mr. Rose** moved that the remaining items of supply be concurred in, except those relating to militia and gunboats, which were reserved till after the discussion on the Militia Bill; and two other items of expenses connected with Imperial legislation on Confederation and salaries and contingencies of Customs. He took occasion to answer the member for Lambton by giving an explanation of No. 110—unforeseen expenses, \$100,000. In the first place, there were some things concerning which they were a little in the dark, as to whether they should be charged to the Dominion or to Provincial account. In addition, there were several expenses connected with the Lower Provinces which the Dominion Government were not exactly familiar with, and were therefore compelled to leave a wide margin for. The third reason for these unforeseen expenses was owing to the stringent provisions of the Audit Act.

**Mr. Mackenzie** would take this opportunity of bringing under the notice of the Government a matter which he had delayed speaking of till the last moment, hoping that the Government would afford the House information on the subject. He alluded to the sum of \$50,000 given to the sufferers by the Quebec fire. How was that money got?

**Hon. Mr. Rose** said it was got by an Order-in-Council. The Government thought the emergency such as justified them in making the grant.

**Mr. Mackenzie** said that it ought then to have been accounted for to Parliament. He objected to Ministers setting aside the provisions of the Audit Act in such a way as had been done in this instance. There was no use in such a safeguard at all, if it was to be systematically set aside.

**Hon. Mr. Rose** maintained that Ministers felt justified in making this allowance. He said that a report would be brought down at

an early period next session, covering all the details of expenditures under the head of unforeseen expenses.

**Hon. Mr. Holton** very much feared from the conduct of ministers that this much vaunted Audit Bill would turn out to be one of the most expensive Bills ever passed by the House. Ministers constantly say, "Give us large sums of money to expend—the provisions of the Audit Act are very stringent, and we can therefore be safely trusted with large grants." If that Audit Act performed all the services honourable gentlemen opposite evidently expected from it on every occasion, clearly it would be one of the most expensive Bills which ever passed through Parliament.

**Mr. Jones** objected to the Government constantly violating all the Acts passed by Parliament, whenever it suited their convenience.

The item was carried, and the remaining items, except items 115 and 117, which were reserved.

**DEPARTMENT OF INLAND REVENUE**

**Hon. Mr. Howland** moved the second reading of the amendment made by the Senate to the Bill constituting the Department of Inland Revenue.

**Hon. Mr. Dunkin** moved the adjournment of the debate. Carried.

**GOVERNOR-GENERAL'S SALARY**

On motion of **Mr. Dufresne**, the Bill to fix the Governor-General's salary was read a third time and passed.

**CIVIL SERVICE BILL**

On motion of **Hon. Mr. Rose**, the Bill respecting the Civil Service was read a second time.

The House rose at six o'clock.

**EVENING SITTING****COMMITTEE OF SUPPLY**

**Hon. Mr. Rose** asked that the member for Lambton should allow the reserved items to be passed, on the understanding that the debate should be taken on the question of concurrence.

**Mr. Mackenzie** agreed, on the understanding that the question of concurrence should come up at a reasonable hour to allow of debate.

The House then went into Committee.

The first item, 13, of the estimates of 1868, passed with this understanding.

**Hon. Mr. Rose** then moved the items 48 and 61 of the same year, for the six months' arrears to charitable institutions.

**Hon. J. S. Macdonald**—It was of course competent for honourable gentlemen in the Government to bring down these estimates; but he could assure them that the Province of Ontario would not regard this as a debt for which they were in any way liable. The Government of that Province were adopting a new plan and would take no more money for charitable institutions out of the Exchequer. He was much obliged to honourable gentlemen opposite for having delayed these estimates till he came, and he could now assure the House, that while he was ready to vote for this sum if charged against the Dominion, he solemnly protested in the name of the people of Ontario against their being charged with this amount. (Hear).

**Hon. Mr. Rose** said that after the clear statement of the leader of the Ontario Government, his solemn protest having been entered in the name of the Province against the items, they would have to be withdrawn. He (Mr. Rose) wished it had been otherwise. He thought this really a debt of honour, and one that should be paid by the Province. Under the present circumstances, he would not ask the House to vote either of the items.

**Hon. Mr. Galt** inquired if he understood the Finance Minister to say this was a debt of the late Province of Canada. If it were not, clearly the Dominion had nothing to do with it. If it were a debt, then under the Union Act the Dominion had to assume it. It was not, in such a case, for any gentleman to rise up and refuse payment. The whole difficulty arose some years ago from a change in the financial year; and if it was a claim against the late Province of Canada, it would have to be paid.

**Hon. Mr. Holton** desired that the honourable member for Sherbrooke should throw some light on this subject. Would not that honourable gentleman say whether or not this was a debt of the Province of Canada?

**Hon. John S. Macdonald** asked where was the obligation on Ontario to pay this amount? Had it been created by a vote of the House? Here was a claim which had never been created or voted for, and yet forsooth it was

proposed to force this on the people of Ontario! All he could say was to protest strongly against such action, and say that in Ontario the people did not consider themselves under obligation to these institutions. He would go further, and say that these institutions had no right to complain. For the last two years there had been no pestilence or disease abroad to bear heavily on their funds. The Province had been prosperous, and he claimed that the people of Ontario who were refusing these grants, did so in full knowledge of the requirements. The people of Ontario did not want to be told by gentlemen on the Treasury benches that this money must be paid. They would not submit to such dictation.

**Mr. Mackenzie** congratulated the House on the result of their first conversation, which was rather a warm one, on this subject. Honourable gentlemen opposite at first desired to force this vote on the House, and were only prevented from doing so by the most determined opposition, and after each of the local Legislatures had a meeting and dealt with this particular subject. The action of the Dominion Government on the subject seemed to him an assumption of authority which was most extraordinary. However, a victory had been achieved over the Government in the matter, and his object in rising was to congratulate the House that the Finance Minister had been forced to abandon his position and withdraw these items from the estimates.

**Hon. Mr. Rose** would repeat that he thought this really a debt of honour on the two Provinces; but one of them had refused to assent to it. He would therefore move that the Committee rise, report the item which had been passed, and ask leave to sit again.

**Hon. Mr. Dorion** said that all the members from the Province of Quebec recognized that this was a matter of assistance and encouragement, and the amounts ought to be paid. He hoped means would be found to sustain institutions which did so much good as those under discussion.

**Hon. Mr. Chauveau** was sorry the Government abandoned their position, and yielded to the sneers of the member for Lambton. He (Mr. Chauveau) was sorry to see this for the sake of the Government and the country. The case was simply this, a debt, recognized as a debt of honour, was lost to the poor, blind, infirm and orphans. These unfortunates

had been cut out of a debt of honour by a piece of sharp practice. Against this he solemnly entered his protest.

**Hon. Mr. Dunkin** took a similar view.

**Hon. John Sandfield Macdonald** said that if there was any sharp practice, it could not be charged against the representatives from Ontario. These items had not been put in the estimates at the suggestion of any honourable gentleman from that Province. No doubt the representatives from the Province of Quebec caused the Government to put in these items, but they had been foiled.

**Mr. Mackenzie** rose to explain that his objection had not been made, as the honourable gentleman insinuated, in order to deprive the poor, blind unfortunates of that aid which their unhappy condition required; but his objection had been made simply because he conceived that the Dominion Parliament had no right to interfere with or vote away money belonging to the Province of Ontario. He protested against interference with what was properly the business of the Local Legislature.

**Sir J. A. Macdonald** said the whole case turned on whether this was a debt or not. It was not enough for the member for Cornwall to deny the debt. If it was a debt it would have to be paid; but was it a debt? That was the question. There was a good deal of doubt whether it was a debt or not, and the question had been fully aired on a previous discussion. There certainly had been an annual vote to these institutions from year to year, and by a change in the financial year these institutions had been without notice deprived of this amount, and very unfairly to them, he thought. As it was not a legal debt, he thought his honourable friend, the Finance Minister, had no other course open to him than to withdraw the items.

**Dr. Parker** advocated the free and independent action of the Local Legislature.

**Hon. Mr. Anglin** repudiated the idea of sharp practice, and thought that if the charge applied at all, it applied to the honourable gentleman from Quebec.

The items were then struck out, and the Committee rose and reported the item. Report to be adopted to-morrow.

#### THE MILITIA BILL

**Sir G. E. Cartier** moved that the House resolve itself into Committee on the Militia Bill.

**Hon. Mr. Dorion** rose to move an amendment. He believed the effect of the Bill would be to destroy the volunteer force and substitute for it one most inefficient. Again, of all the money to be expended under this Bill, very little went to the men, but was expended in paying new officers, increasing the allowance to old ones, and on contingencies. Altogether, the new measure found no favour in the country. He would therefore move in amendment, seconded by Mr. Mackenzie, that it be an instruction to the Committee of the Whole on the Militia Bill, that in the opinion of the House the volunteer system is of proved efficiency, is especially adapted to the spirit and circumstances of the people, and is capable of supplying a more efficient and available force for the defence of the country than that to be substituted by the Bill; that therefore it is advisable to amend the same by providing for the better maintenance and encouragement of the volunteer force and the drilling of officers of the ordinary militia, and that the ordinary militia shall not be called out by conscription, except in case of necessity.

**Mr. Bellerose (in French)** opposed the amendment.

**Mr. Jones (Halifax)** urged the superiority of the volunteer to the the conscription principle.

**Mr. Chamberlin** from his personal acquaintance with Volunteers, found that the system was becoming effete, and argued that that system imposed unequal burden upon the willing portion of the community for the advantages of those who were backward. The expenses which had been entailed upon Lieut.-Colonels were intolerable. A measure such as the present, which presented the alternative of choice between voluntary and compulsory enrolment was in reality one of assistance and encouragement to volunteering, as favouring the option of corps in which to serve, and, although necessarily imperfect, was a fair equitable method of distributing the onus of the protection of the country.

**Hon. Anglin** had frequently heard it urged that the Bill would destroy the volunteer system, but had never heard a valid argument offered in support of that theory. He would oppose the amendment.

**Mr. Blanchet (in French)** maintained that the volunteer system had exhausted itself, and required such a stimulus as provided in the measure to renew its vitality. He would therefore vote against the amendment.

Mr. Pope could not see any force in the provisions of the amendment, and would therefore support the Bill.

Hon. Mr. Johnson had a strong opinion at one time against the volunteers, but he had changed that opinion. He did not believe for one minute that there was to be war between Canada and the United States. He did not believe in any such nonsense. (The honourable gentleman continued to speak for some time amidst creaking of desks and cries of "louder, louder, etc.")

Mr. Young said he believed this Bill was intended to destroy the volunteer system. At present in large cities and towns there was a large number of volunteers, but under this Bill each district being allowed to furnish only a certain quota, the number of volunteers in the centres of population would be greatly diminished. The amendment brought the question directly before the House—shall we continue the volunteer system, or shall we have a conscription system substituted for it? He thought the volunteer system should be adhered to as most in accordance with the genius of our people. He believed we had now a much better force of volunteers than the force we could obtain under the Bill. The volunteer officers throughout the country agreed that there had been a great deal of mismanagement by the Government with reference to the volunteers, and that had therefore received proper encouragement, we would now have a larger volunteer force than the force proposed to be maintained by this Bill, and much better drilled. He believed 20,000 volunteers, drilled as they were now, would be of more value in the hour of danger than the 40,000 men to be raised by this measure. We should adhere to the volunteer system, and not force on the people of this country a system which they would not like. He had never seen the press of Western Canada, Conservative as well as Reform, so unanimous on any subject as they had been in condemning this measure, which he believed was not only calculated but intended by the Minister of Militia to destroy the volunteer force. If we had another Fenian raid during the coming season, the measure of the Minister of Militia would afford no efficient means of repelling it.

Mr. Sproat believed the volunteer system could be kept up efficiently if better inducement were held up. He had no doubt, however, his honourable friend would have upbraided the Ministry if they had come down with any extravagant scheme for paying and

maintaining the volunteer force. He (Mr. Sproat) would gladly endeavour to sustain the volunteer force if the Bill should pass, and he believed with proper efforts, even under this Bill, a great deal could be done to keep it in a state of efficiency. He hoped in Committee it would be decided to bring the Bill into force immediately instead of the 1st of July. Some of the objections he had urged to the Bill at the second reading had been removed by conversations subsequently with the Minister of Militia.

Mr. Oliver said if the volunteer force had been properly used by Government, instead of having diminished by twelve thousand men it would have increased by that number. This Bill would be fatal to the volunteer force. If they did not on its passage send in their resignations *en masse*, they would undoubtedly dwindle away under its operations. He opposed the Bill chiefly on account of the prominent feature which characterized it—that of conscription. He did not think this measure would contribute to the defence of the country. The extravagance of our Government now, as for many years past, was driving our young men out of the country into the United States. A wise, economical system of Government, under which our people would become prosperous and remain attached to our country and our institutions, would be the most efficient system of defence which we could adopt. With proper encouragement, we would get enough volunteers to enroll themselves for the defence of the country. On the other hand, a conscriptive militia system on an extravagant and useless system of fortifications would produce discontent among our people, and produce in other parts of the Dominion the same unhappy state of things which now existed in Nova Scotia. He thought 50 cents a day altogether inadequate for the payment of the volunteers. That portion of the people who did not enroll themselves for military training ought to be made to pay, and would willingly pay enough to provide 75 cents a day for the volunteers. The enforcing, however, of a system of censoring them would have the most unhappy effects.

Hon. Mr. Langevin (in French) spoke in support of the Bill.

Mr. Brown suggested that the latter part of the amendment—"that the ordinary militia shall not be called out except in case of necessity"—be dropped as unnecessary. He expressed his confidence in the volunteer system, and thought it would be better not to

resort to any enforced enrollment. He would support the amendment if the latter clause was left out.

**Sir G. E. Cartier** said when the member for Waterloo asseverated that this Bill was intended to kill the volunteer force, he really believed the honourable gentleman could not have read the Bill. The measure placed the volunteer system in the very foreground. It was only necessary to read the 41st section to be satisfied of this, for under that section in any regimental division where the quota was filled up by volunteers, conscription would not take place. He respected the Volunteers, they had achieved a great deal, and that was a good reason why they should not be wiped out. The reason why he had provided that Volunteers should serve three years and the drawn men only two was that he wanted to give the Volunteers the first place in the field of honour, but in order to meet the views of Col. Bowell he would introduce an amendment to give credit to Volunteers for the time they had already served as part of the three years of service.

**Mr. Bowell**—I thank you for that.

**Sir G. E. Cartier** proceeded, in reply to the objection that the Bill would put the present Volunteer force out of existence, to point to the clause which provided that three months would be allowed to volunteers for saying whether they would enroll themselves under the new system. The member for Hochelaga objected to conscription at this moment. Under the law introduced by that honourable gentleman's own government, there were 88,000 conscripted men liable for six days' service in the year. He had been astonished to hear the remarks of the member for Halifax after the conversation he had had with that gentleman. He would not repeat what the honourable gentleman had stated to him.

**Mr. Jones (Halifax)** said the honourable gentleman might repeat it, if he chose.

**Sir G. E. Cartier** said the honourable gentleman had stated to him that the existing laws of Nova Scotia were harder on the population than this law would be. Under the existing law, the whole militia service men were obliged to be drilled five days in the year. He (Mr. Cartier) was ready to meet any number of inhabitants of Nova Scotia, and compare this measure with their existing laws, and he undertook to make out such a case that the people of Nova Scotia would

give a verdict in his favour—that his law released them from an immense burden, which the member for Halifax would like to see continued. He claimed that this was a measure of relief for the militia men of the old Province of Canada, and of Nova Scotia and New Brunswick.

**Mr. Jones** said he had taken the ground in conversation with Mr. Cartier, that the old militia law of Nova Scotia, requiring five days' drill from the militia men, was not an efficient measure, and had urged on him a good measure for encouraging the volunteer movement.

**Hon. J. Sandfield Macdonald** thought the amendment of his honourable friend from Hochelaga placed too much reliance on the efficiency of the volunteers. When there was any danger, there could be no body of men more willing to turn out; but in time of peace they were a costly establishment, and it was difficult to maintain discipline among them. He presumed that the Minister of Militia must have based his measure on the representations which had reached him, that another organization more efficient than that of volunteers should be adopted. This Bill proposed to have 40,000 men subject to military training for the whole Dominion. The existing law introduced by his (Macdonald's) Government in 1863 provided a system under which 88,000 men might be called out for the old Province of Canada alone. This Bill called out 40,000 by a more costly process. The Minister of Militia seemed desirous by a more general subdivision to familiarize the sections where there were now no volunteers with militia training. His honourable friend well knew that two thirds of the volunteers had been supplied by Upper Canada, and that in Lower Canada, except in the cities of Quebec and Montreal, very little of a volunteer organization existed.

**Sir G. E. Cartier**—Hear, hear.

**Hon. J. Sandfield Macdonald** proceeded to say that no doubt the Minister of Militia had felt that his own people in Lower Canada ought to turn out as well as those of Upper Canada, and with that view the Bill was well drawn. In consideration of the absence in Lower Canada of the volunteer spirit which had been witnessed in Upper Canada, unless when the feelings of the people were roused by danger, any legislation on the statute book as to the organization of the Militia must prove a dead letter. A law on the statute book would not rouse a national spirit. That would

only be aroused when danger was apprehended. The honourable gentleman expected to have 40,000 men turn out and be well drilled. He (Mr. Macdonald) however, believed that by paying them only half a dollar a day, the honourable gentleman in time of peace would fail in accomplishing that object. But he did well in placing on the statute book a means of organizing the Militia, which was no better, however, than that which we had now. The honourable gentleman could not improve on the existing system for organizing the Militia. Gentlemen opposite were to blame for having, since 1863, increased the staff to an unpardonable extent. The staff in Montreal connected with the Militia Department was unpardonably expensive. He was prepared to support the Minister of Militia in his scheme on the ground that it was a very small improvement, if an improvement at all, on the existing laws which were intended to prepare us for the defence of the country, and there might be a justification for its enactment in its being necessary to have a uniform militia law for the whole Dominion. And as he was prepared to adhere to the law which he (Mr. Sandfield Macdonald) and his colleagues had placed on the statute book, he was prepared to support the Bill and to oppose the amendment of his honourable friend from Hochelaga.

**Hon. Mr. Holton** congratulated the Minister of Militia on the peculiar kind of support he had received from the member for Cornwall. In the first place, the honourable gentleman said this Bill was no improvement on the existing law; next he stated that while it was no improvement on the existing system, it would cost a great deal more; and then he went on to say that any militia law which could be enacted would in piping times of peace practically prove a dead letter. In that opinion he (Mr. Holton) was inclined to agree with him; and because that was likely to be the fact, he doubted very much the expediency of expending so large a sum of money as would be required under this Bill, when there was no particular emergency. But the point to which he particularly wished to call the attention of the House, and especially of the representatives from Lower Canada, was the statement by the member for Cornwall, cheered by the Minister of Militia, that the people of Lower Canada had been recreant to their duty as regarded the defence of their country. As a representative of a Lower Canada constituency, he (Mr. Holton) asserted that that statement was not borne out by facts. He begged to protest, with all the

[Mr. J. S. Macdonald (Cornwall).]

energy at his command, against a statement which, though perhaps not so intended, yet when re-echoed by the Minister of Militia, became a slander on the people of Lower Canada.

**Hon. J. Sandfield Macdonald** explained that what he stated was that the volunteer organization fell far short in Lower Canada of what it had been in Upper Canada. He had not said the people of Lower Canada had failed in their duty in regard to the defence of their country.

**Mr. Mackenzie** said he had been amused in observing the various reasons given by honourable gentlemen for their votes on this and the fortifications measure. The member for Sherbrooke voted for the fortification scheme as one which would defeat annexation. The member for East Toronto voted for it because (as he was pleased to term it) the females of Buffalo were deficient in the milk of human kindness. (Laughter). A gentleman behind him (Mr. Mackenzie) supported the Bill before the House, because he was satisfied it would not be prejudicial to the volunteer force as at first supposed. Then, the member for Glengarry supported the Bill because he believed it would not do a great deal more harm than the old Bill. It seemed to that honourable gentleman necessary to have a militia Bill on the statute book, and this suited him as well as another. (Hear, hear). His (Mr. Mackenzie's) idea of a militia Bill was that it should be a measure of defence providing a sort of internal police to be used on urgency as in 1866. They could not always depend on having a body of British troops in this Province, and if they continued to have them they might expect to pay for them as other Provinces did. It became their duty to provide an organization which could be depended on in the event of disturbance within or without. His opinion was that the volunteer force was the only one which could be depended on in an emergency. They were much better drilled than would be the active militia force under this or any other Bill, without spending an enormous sum of money. The question was—would the eight days drill proposed by this measure put that force on a footing fairly to supply a want which it must be anticipated would be created one way or another? His own conviction was that in this the Bill would utterly fail. The outlay, too, was utterly disproportioned to the results to be achieved. In his opinion, their efforts should be directed, as they were first directed by the

member for Cornwall, in 1863, towards educating a body of officers who would be able in such an emergency to take charge of the men. That the proposed system would be a failure he was convinced. A year hence, he believed, it would be owned by the Minister of Militia that he had failed in this measure to provide a substitute for the volunteer force. If the present Bill went into force, at least one-third or one-half the present number of volunteer companies in Canada would be disbanded. In reality, the Bill furnished a mere name, without any substance of an active militia force.

**Mr. Bowell** said he would vote for the Bill going into Committee, with a view of urging on the Committee the various amendments, of which he had given notice.

**Mr. Dorion's** amendment was then negatived—Yeas, 41; Nays, 100.

**Yeas**—Messrs. Bechard, Bodwell, Bourassa, Bowman, Brown, Cameron, (Huron), Cheval, Connell, Coupal, Dorion, Ferris, Forbes, Fortier, Geoffrion, Godin, Holton, Jones (Halifax), Kempt, Kierzkowski, Macfarlane, Mackenzie, McCallum, McMonies, Metcalfe, Mills, Morison (Victoria), Oliver, Paquet, Parker, Pozer, Redford, Rymal, Scatcherd, Snider, Stirton, Thompson (Haldimand), Thompson (Ontario), Tremblay, Wells, Whitehead, Young—41.

**Nays**—Messrs. Abbott, Anglin, Archambeault, Ault, Beaty, Beaubien, Bellerose, Benoit, Bertrand, Blanchet, Bolton, Bowell, Brown, Brousseau, Burton, Cameron (Peel), Campbell, Carling, Caron, Cartier, Cartwright, Casault, Cayley, Chamberlin, Chauveau, Cimon, Colby, Costigan, Crawford (Brockville), Crawford (Leeds), DeNiverville, Desaulnier, Dobbie, Dufresne, Ferguson, Fortin, Galt, Gaucher, Gendron, Gibbs, Grant,

Gray, Grover, Heath, Holmes, Howland, Hurdon, Irvine, Jackson, Johnson, Keeler, Kirkpatrick, Langevin, Langlois, Lapum, Lawson, Little, Macdonald (Cornwall), McDonald (Glengarry), Sir J. A. Macdonald, McDonald (Middlesex), Magill, Masson, (Soulanges), Masson (Terrebonne), McCarthy, McConkey, McDougall, McGreevy, McKeagney, McMillan, Merrit, Morris, Morrison (Niagara), Munro, O'Connor, Perry, Pope, Pouliot, Rankin, Read, Renaud, Robitaille, Rose, Ross (Dundas), Ross (Prince Edward), Ryan (Kings, N.B.) Ryan (Montreal), Savary, Shanly, Simard, Simpson, Sproat, Stevenson, Tilley, Walsh, Webb, White, Wilson, Wood, Workman—100.

**Dr. Parker** said he had given notice of an amendment with reference to the excess and expenditure for staff and departmental officers. He should not move it now; but if he thought it necessary after the Bill had come out of Committee, would move it at a subsequent stage.

The House then went into Committee of the Whole on the Bill—Mr. Campbell in the Chair.

**Mr. Bowell** moved to strike out the word "volunteer" wherever it appeared on the Bill, and substitute the word "active".

**Sir G. E. Cartier** said that if he did this he might as well tear up his Bill: the amendment would lead to such confusion.

**Mr. Brown** also opposed the amendment. The amendment was lost.

**Mr. Bowell** moved several amendments, which were lost.

The Committee rose and reported progress, and obtained leave to sit again to-morrow.

The House adjourned at half-past one o'clock.





## HOUSE OF COMMONS

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Wednesday, May 13, 1868

### FIRST SITTING

The Speaker took the chair at eleven o'clock.

### QUEBEC BENCH

In reply to **Mr. Masson (Soulanges)**, who asked whether it is true that two of the judges of the Court of Queen's Bench or of the Superior Court have tendered their resignations; whether those resignations have been accepted; and whether it is intended to appoint two other persons in their places, and if so, when?

### JUDGES OF QUEBEC

In reply to **Mr. Masson**.

**Sir J. A. Macdonald** said the Judges in the Province of Quebec had proffered their resignations on condition of receiving a retiring allowance of two-thirds of their salaries. The funds at the disposal of the Government for that purpose were not sufficient and would not be till the Acts now before Parliament became law. If the Government funds were able to provide the retiring allowances for these three Judges, their resignations would be accepted and their successors appointed.

**Mr. Wright** moved that a Select Committee be appointed to inquire into the administration of justice in the district of Ottawa, and that the petition of Thomas McGory and others be referred to the same Committee for their report, with power to send for persons, papers, and records—said Committee to consist of **Hon. J. H. Cameron**, **Campbell**, **Huntington**, **Holton**, **Blake**, **Morris**, **Langlois**, **Robitaille**, **Dufresne**, **Webb**, **Pope**, **Casault**, **Savary**, **Bellerose**, **Scatcherd**, **Desaulnier**, and the mover.

In reply to the **Hon. Mr. Dorion**,

**Mr. Wright** said it was his intention by this motion to have an examination by the Committee of the petition against Judge **Lafontaine**, with a view to ulterior proceedings by the House.

**Sir G. E. Cartier** suggested the addition of the names of Messrs. **Dorion** and **Irvine**.

**Hon. Mr. Dorion** said he had to leave the city on urgent private business, and could not serve.

**Hon. Mr. Holton** thought it was too late in the session to move such a Committee. It could not now do any good.

**Sir J. A. Macdonald** said an inquiry of this kind could probably not be completed in one session. There would be an advantage in the Committee meeting now and arranging modes of procedure, and next session the same Committee might be appointed to proceed with the inquiry.

**Hon. J. S. Macdonald** urged that the striking of a Committee was not a proper course of procedure. The Government should issue a Commission of Inquiry.

**Hon. Mr. Dunkin** argued that the House should take the initiative. After the House had decided there should be an inquiry, then the Government might issue a Commission.

**Hon. J. H. Cameron** said the Government might issue a general Commission to inquire into the administration of justice in the District of Ottawa, but they could not at this stage issue a Commission to inquire into the conduct of a Judge. He thought the Government should assume the responsibility of an inquiry of this kind. The petition should have been presented to Government, and on that the Government should base an inquiry as to whether proceedings should be instituted. If the House was not satisfied with the action of the Government, proceedings might then be taken here. He thought the best thing that could be done was to have a Committee to report on the mode of procedure to be adopted in all such cases, and on that report to base legislation.

**Sir John A. Macdonald** utterly dissented from the idea that the Government should initiate proceedings. It was destructive of the doctrine that the Bench should be equally independent of the Crown and the people. He would suggest that during this session the

Committee confine themselves to the one point of the mode of procedure in such cases, that their report on being adopted by the House, would be the basis for action next session.

**Hon. Mr. Holton** said he had had an opportunity of perusing in manuscript the chapter of Todd's Parliamentary and Constitutional History, which related to this subject, and which had hitherto been an unwritten chapter in English history. There, all the cases of impeachment of judges since the time of William and Mary, only five in number, were carefully examined. In only one case, that of Sir Jonah Barrington, had the proceedings gone to the last extremity. From these cases Mr. Todd deduced these inferences that the Government should lead in such prosecutions, and that they should proceed by means of a Commission of Inquiry.

#### CANAL LABOUR ON SUNDAYS

**Mr. Abbott** moved an address to the Governor-General, praying that he will be pleased to order the series of Canals, known as the Carillon and Grenville Canals, to be closed for traffic on Sundays. He said that at present there was a great deal of traffic on these canals on Sundays, depriving of the rest to which they were entitled numerous employees of the Government or others. It had also the effect of compelling the farmers and others residing along the line of the canals to remain at home on Sunday to protect their property, as the class of people passing along would be able otherwise to commit depredations with comparative impunity. Sometimes the postal and travelling necessities of the public were urged as a plea for keeping open public works on Sunday. This plea did not apply in this case, as neither mails nor passengers went by these canals. Numerous petitions had been presented from the residents along the route, of every race and denomination, praying the stoppage of this Sunday labour.

**Mr. Wright** said it should be remembered that these canals were the only outlet for the great sawn lumber trade of the City of Ottawa, and its vicinity, and that the facilities for its movement were inadequate to its extent.

**Hon. Mr. McDougall** said it was desirable that there should be uniformity in this matter with respect to all the canals, and accordingly proceeded now to state what was the practice

[Sir J. A. Macdonald (Kingston).]

on the other canals. He would not argue the question on one side or the other. In a case of this sort, the Government should act in accordance with public sentiment, and that sentiment could best be expressed by this House. He might remark, however, that it did not appear to his mind that morality or the observance of the divine law would be necessarily secured by closing the canals on Sunday. In support of this observation he read from a petition from a company who were now establishing a daily line of steamers on the Welland Canal, and who represented that it would not only answer the purposes of trade, but would be in the interests of public morality if they were allowed to proceed with their carrying business on Sundays as on other days.

**Hon. Mr. Dorion** thought if the barges on the canal were stopped on Sundays, the employees, instead of going to church, would procure liquor, and the scenes of tippling and disorder that would occur in consequence would be deplorable. It should be considered also that the season of navigation was exceedingly short, and that serious loss would occur from closing the canals on Sundays. It was chiefly, however, in the interests of public morality that he would oppose it.

**Hon. J. S. Macdonald**, in support of Mr. Dorion's argument, narrated some circumstances which had come under his own observation. He had stopped on one occasion at the house of a resident on one of the canals near the lock gate, and the lady was very eloquent in urging him, as a member of Parliament, to use his influence to get the canals shut on Sunday. She urged how hard it was on the lockman and others that they did not get their seventh day's rest, and could not go to the preaching of the Word. Very soon afterwards the lock gave way on a flood, and it took all the following Monday to repair it. A lot of barges were detained in the neighbourhood, and on the Sunday a sort of pandemonium was enacted, and what touched her more personally, the lady, he referred to had her geese and turkeys stolen. The next time he saw her, when recounting these circumstances, she said she would like the observance of the Sabbath to commence at the next lock. (Laughter).

**Mr. Mackenzie** said that the member for Cornwall had shown the ridiculous side of the question very well, but it had to be considered from another point of view. The observance of the Sabbath day was a duty incumbent on

them as a Christian people, and that they, as legislators, ought to do their duty in promoting the observance of the Sabbath. Apart from any moral objection, and considering it merely as a matter of policy, the utility of the course proposed by the honourable member for Argenteuil would be at once apparent. No good ever came of Sabbath-breaking, whether by individuals or communities. As a prominent instance of the results of Sabbath-breaking, the honourable gentleman alluded to the City of Buffalo—the distinguishing characteristic of which was Sunday desecration. No city was more noted for its profligacy, political and moral. (Hear, hear). He had no hesitation as to the course he should pursue on the question before the House, believing that all legitimate labour gained by the proper observance of the Sabbath, and that public servants were entitled to rest on that day. He would vote for the motion before this House. He believed, too, that this was a change desired by many of those employed on American steamboats and on Canadian vessels. Many of these men, he felt confident, desired to observe the Sabbath day properly, and should not be prevented from so doing. As an instance of the working of the present system he stated that the Northern Transportation Company made it their business to get their vessels to leave Oswego or Rochester, so that they should pass through the canals on Sunday. The legislature of the Dominion, he contended, ought not to lend itself to anything of this kind, and he earnestly entreated the House to vote for the motion.

**Mr. Connell** mentioned that which came under his own observation during the last 15 or 20 years in regard to this matter of Sabbath observance, and showed the good results which had followed the discontinuance of Sunday labour.

**Mr. Morris** thought that the House and country both very much indebted to the honourable gentleman for Argenteuil for bringing forward this motion. Laying aside altogether the moral question involved in this matter, it was the duty of the legislature on physical grounds to do what they could to enjoin and promote Sabbath observances.

**Mr. Masson (Soulanges)** who thought he was as acute an observer as the last speaker, was opposed to the motion, as instead of promoting Sabbath observance it would tend to Sabbath desecration.

**Mr. Merritt** would vote for the motion. He instanced the closing of the Welland Canal on Sunday which had been productive of the best results. At first it had been supposed that it would be impossible to close the canal on Sundays, but experience had demonstrated that it was a great improvement to close the canals.

**Mr. Gibbs** thought the statement of the last speaker the best argument which could be adduced in favour of the motion. He (Mr. Gibbs) hoped it would carry and that not merely this particular canal, but all the canals would be closed on the Sabbath. If the Government would take a stand in this matter they would find the business of the country could be as well done in the six days as the seven.

**Mr. Ross (Dundas)** also hoped the motion would carry. By observing the Sabbath the country would undoubtedly be more prosperous, for they could not expect the Blessing of God while violating deliberately and continually His express commands.

**Dr. Grant** had listened with pleasure to the views expressed on this subject by those who desired to see the Sabbath properly observed. He hoped that all the canals in the Dominion would be closed on the Sabbath.

**Mr. Currier** said there was a given quantity of lumber manufactured in this section which must pass this canal. If the Government would spend a few thousand dollars in enlarging it, the work might be done in six days, but until that was done he hoped the member for Argenteuil would not press his motion.

The motion was carried.

#### FEES ON LAW PROCEEDINGS IN ONTARIO

**Mr. Wood** moved an address for copies of all minutes or Orders-in-Council respecting the fees collected on law proceedings in the Province of Ontario since the 1st of July last, and the disposition to the same. He said he moved this less for the sake of the information to be obtained by the address, than with a view to have the matter put on a satisfactory footing. Under the British-America Act, the superior County Court Judges in the several Provinces were paid by the Dominion. In Upper Canada there were taxes on legal proceedings which were entirely local, and did not exist in any other part of the Dominion. They might be divided into

two classes: 1st there were the fees collected in the proceedings of the Superior Courts—the Courts of Queen's Bench, Common Pleas and Chancery. Acts of the late Province of Canada had substituted stamps for collection of these fees, and they were called the C.F., or Consolidated Fund stamps. These fees were originally imposed to pay certain officers and expenses of the several courts, and were so appropriated down to the time of the passing of the Act 12 Vic., Chap. 63. By that Act these fees were founded and salaries fixed for the clerks of the Crown and other officers in these several courts. The fees being thus funded went into the Consolidated Revenue of the late Province of Canada, and for the year ending 20th June, 1867, amounted to about \$25,000. The salaries of the officers formerly paid out of this fund also amounted to about \$25,000. By the construction which the Ottawa Government are giving to the British North America Act, these fees (a corresponding or like tax not existing in any other Province) are going into the Dominion exchequer, and yet the Province of Ontario is obliged to pay these very officers, for payment of whose services these fees were originally imposed. A more unjust proceeding could not be conceived. The Province paid the Master, Registrar, and other officers and clerks of the Court of Chancery, Clerks of the Crown, and deputies, and other officers in the Queen's Bench and Common Pleas, Registrar of Surrogate Court, etc., to the amount of upwards of \$25,000. It paid out of the Provincial taxation all these officers to whom these fees originally belonged, and who had received fixed salaries in lieu of them; and yet the whole of these fees went into the revenue of the Dominion! He had spoken to several members of the Government of the subject. They seemed to have a dreamy, cloudy notion that there ought to be some remedy, but nothing had been done. Then there was another class of fees called the F.F., or fee-fund fees. Originally these fees were established in the old district courts, a scale of fees being fixed by which the Judge had a certain sum for every decision he made, and the clerk a certain sum on every proceeding, writ, etc. By the Country Court Act of 1845 these fees were all funded, and the Judges were paid by salary—when the Division Courts were established fees were also imposed. So also when the Surrogate Court was established certain fees were imposed which went into the fee fund. A portion of the fund was supposed to be applicable to payment of the County Court Judges. It was but justice

[Mr. Wood (Brant South)]

to say, as between Upper and Lower Canada, that it had been supposed the expenses of the County Court Judges in Upper Canada were greater than the expenses of the Judges in Lower Canada. But if any one would look at the estimates of the Dominion, it would be found that the amounts estimated to be paid for salaries of Judges in the Province of Quebec and for salaries of Judges in Ontario, relatively to the amount of taxation each Province was supposed to pay in proportion to population, were about equal. There was no advantage one way or other. He held that when the British America Act provided that the Dominion should pay the salaries of the Judges, it could not have been contemplated that the amount thus paid should be raised by local taxation in any part of the Dominion. He submitted, therefore, that the Government should take such action as would ensure Ontario, on account of these fees from 1st July last, and that they should be paid over to that Province. Unless this were done, the people of Ontario would labour under a strong sense of injustice, inflicted on them by the Dominion Government. From the expressions he had heard from all parties in the Province of Ontario, he believed that if something were not done by the Dominion Government and Parliament, the Legislature of Ontario would be called upon to act in the matter, and that very speedily, for it must be obvious to everyone that that Legislature will not submit to this exceptional taxation. What a delusion it is to say that the Dominion Government shall have the power of appointing the Superior and County Court Judges, and shall fix their salaries, and provide for the payment of the same, if nevertheless in Ontario these salaries, or the greater portion of them, are to be collected by taxation on legal proceedings, the like being imposed in no other Province, but in all the other Provinces the Judges being paid out of the Consolidated Revenue of the Dominion, that is out of taxation imposed equally upon Ontario as well as all other parts of the Dominion. If Ontario is this way to be called upon to pay its Judges, it will insist upon the other Provinces doing the same, and will claim the right of appointing its own Judges. He said he had thus prominently brought this subject before the House in order to elicit from the learned Knight at the head of the Government, an expression of the views of Ministers in reference to the same, and if possible a declaration that these two fee funds C.F. and the F.F. of right belong to Ontario, to deal with for its own purposes as it

may see fit, and that all that has been collected and paid over to the Dominion since the first of July last, shall be accounted for and refunded to Ontario.

**Sir John A. Macdonald** said there were three fee funds in Upper Canada, first, there was the Osgoode Hall fund, consisting of fees specially charged to meet the debentures issued for the erection of Osgoode Hall and additions to it. As to this, he would suggest an arrangement by which the Province of Ontario would relieve the Dominion of the debt for Osgoode Hall, and take these fees. As to the offices, he considered there must be an arrangement made between the Dominion and the Local Government. His present opinion was that the Treasurer of Ontario was right in the ground he took with reference to them, and that they belonged to the Province of Ontario. But, if there was to be legislation on the subject, it must be in the Legislature of Ontario, and not here. As to the local court or F. F. fund by the law of the late Province of Canada the salaries of the County Judges were to be paid out of that fund, and the deficiency, if any, was to be made up out of the Consolidated Revenue Fund of the Province. By the Union Act, the salaries of all County Court and Superior Courts Judges were to be paid by the Dominion, and that must be held to mean that they were to be paid according to the provision of the law, just in the same way as in New Brunswick and Nova Scotia, where there were certain fees exacted for payment of the Superior Court Judges.

**Mr. Wood** said he was informed by the member for Guysboro' (Mr. Campbell) that there were no such fees in Nova Scotia.

**Sir John A. Macdonald** said, at all events, there were fees of that kind in New Brunswick. Until the law was changed, the Union Act threw on the Dominion the obligation which formerly existed on the Province, to pay the deficiencies between the fee fund and the salaries fixed by law. He did not desire to discuss the question now, whether that law should be changed. He might have a strong personal opinion that, with reference to Ontario, it ought to be changed. The matter might be arranged by a previous understanding between the Dominion Government and the Government of Ontario, but would have to be legislated on. There might be legislation, however, as to the officers in the Local Legislature, for he presumed these fees must belong to the Local Government. Meanwhile,

[Mr. Wood (Brant South).]

no practical difficulty could arise. All these funds would be kept separate, and when the necessary legislation had taken place they could be divided, so much for the Local and so much for the General Government.

The motion was withdrawn.

#### RECORDERS' SALARIES IN ONTARIO

**Mr. Wood** then moved an address for copies of all orders or minutes of Council and correspondence in respect of payment of salaries of the Recorders in the Province of Ontario. He said he moved this because there seemed to be a difficulty about the payment of Recorders which ought to be settled one way or the other. The Legislature of Ontario had made no provision in the estimates for payment of the Recorders, because the Municipal Act of 1868 stated that the salaries of Recorders should be defrayed out of the fee fund from which the salaries of County Court Judges were defrayed. At the same time the appointment of the Recorders rested with the Provincial Government, and it might be supposed that the Province should pay them, as they were not included in the list of Judges whose salaries were to be paid by the Dominion. And as the Minister of Finance of the Dominion declined making any provision for the payment of the Recorders, it would appear they were to be left without pay. The matter could easily be settled if the Dominion Government would give up to the Province of Ontario the fee fund of which he had spoken; or perhaps the leader of the Government would say that he would take the responsibility of ordering these salaries to be paid, charging them against the fee fund in account with the Province of Ontario. In that way the difficulty would be removed, until a final settlement was arrived at about these fee funds.

**Sir J. A. Macdonald** thought the Treasurer, according to his own argument, should have provided for these salaries in the Supply Bill. He thought the Local Government would be quite justified in paying them, but meanwhile there would be no difficulty about paying the salaries out of the fee fund until the matter was settled.

**Hon. J. S. Macdonald** said there was another matter involved in this question. The Recorders heretofore appointed were not under the control of the Province, and could not be removed by the Provincial Government, and the people might refuse to pay officers over whom they had no control.

**Sir J. A. Macdonald** said the payment of salaries must go with the power of appointment.

The motion was then withdrawn.

#### L'ISLET ELECTION

Messrs. **Cimon, Caron, Connell, D. A. McDonald, and M. C. Cameron**, Chairman, were sworn in at the Clerk's Table as a Committee to try the L'Islet election.

#### TRINITY HOUSE, QUEBEC

**Mr. Robitaille** moved for a copy of answer made to the report of Trinity House, Quebec, asked by an address of this House on the 6th inst.—Carried.

#### PROPOSED BAY OF QUINTE CANAL

**Mr. Keeler** moved to refer the address respecting the proposed canal between Lake Ontario and the Bay of Quinte to the Select Committee on Maritime and Fluvial Fisheries.—Carried.

#### CARRYING MAILS ACROSS THE STRAIT OF CANSO

**Mr. Cameron (Inverness)** moved an address for petitions, correspondence, etc., respecting the carrying of mails across the Strait of Canso.—Carried.

#### AFTERNOON SITTING

The Speaker took the Chair again at 4 o'clock.

#### STEAM ENGINES

In reply to **Mr. Young**, **Mr. Tilley** said the Customs Department had no knowledge of any steam engines having been admitted as mill machinery free of duty during the past or present year.

#### INSOLVENCY

**Sir John A. Macdonald** introduced a Bill respecting insolvency. He stated that this was an extension to the whole Dominion of the Canadian Act, with such improvements as the experience of four years in the judgment of the Committee had shown to be necessary.

#### SUMMARY JUSTICE

On motion of **Sir John A. Macdonald** the House went into Committee—**Mr. Campbell** in the Chair—on the Bill for the more prompt

and summary administration of justice in certain criminal cases.

The Bill was reported and was read a third time and passed.

#### MILITIA BILL

On motion of **Sir G. E. Cartier**, the House went again into Committee—**Mr. Campbell** in the Chair—on the Bill respecting the Militia and Defence of the Dominion of Canada.

The 18th clause was amended on motion of **Mr. Cartier** as follows:—In the 3rd line instead of "battalions and companies of garrison Artillery," the words "brigades and batteries of garrison Artillery" were substituted. Also to the end of the 1st section of the clause was added "who may provide for the enrollment of such officers as may be necessary for the purpose of field batteries of Artillery and troops of cavalry."

**Dr. Grant** strongly insisted on the necessity for organizing a full proper army medical department, and not leaving these most important matters to be dealt with only when the necessity for their use arose. At the same time he felt that too much ought not to be expected from the Government at the commencement of their present very arduous task.

**Hon. Mr. Johnson** said his honourable friend wanted a medical department. Was it possible the volunteers were not dying fast enough, and that efforts must be made to let the doctors loose on them to kill off the remainder. (Loud laughter). He (**Mr. Johnson**) was in favour of the Militia Bill generally, though he objected to it in several particulars.

**Sir G. E. Cartier** said that in accordance with the suggestion just made, he would move to amend the 2nd section of the 18th clause by inserting the word "a medical" between the words "Commissariat Hospital" on the 1st of the sub-section. Carried.

On motion of **Sir G. E. Cartier** the 19th clause was amended by striking out in the oath the words, "for the defence of the Dominion of Canada."

On the 36th clause,

**Hon. Col. Gray** moved to strike out the latter part of the words "and Colonels appointed by commission signed by the Commanders of Her Majesty's regular forces in Canada, shall command Colonels of Militia, whatever be the date of their respective commissions."

**Sir G. E. Cartier** said that the Bill as it stood was in this respect merely enacting that which was law in Nova Scotia and New Brunswick already. Besides the alterations proposed could such be made under the Mutiny Act.

**Mr. Scatcherd** said that if this were the law already he did not see the necessity for the Bill.

The amendment was lost.

The House rose at six o'clock.

#### EVENING SITTING

The Speaker again took the Chair at 7:30.

#### WHITEAVES RELIEF BILL.

**Mr. Workman**, seconded by **Mr. Kirkpatrick**, moved the second reading of the Bill from the Senate for the relief of Joseph Frederick Whiteaves.

**Hon. Mr. Irvine** said he did not wish to occupy the attention of the House by saying anything on the principle of this Bill. He was opposed to it, and his object in rising was to call the attention of the leader of the Government to the proceedings in this case, which were not in accordance with the usual form of Parliamentary proceedings. The rule in England had been that proceedings of this kind should originate in the House of Lords, and that the evidence taken before that House should be sent down to the Commons to be referred to the Committee in charge of the Bill. That practice had never been departed from, and on this, as well as other evidence, the facts were to be established. In the present case no evidence whatever had been taken before the Senate. The evidence on which the Bill had been passed was the testimony adduced in the Court in Montreal on an action brought to obtain separation and he desired to bring under the notice of the House the dangerous results which might follow from the present practice. The objects of the action under which this evidence had been taken were of a nature entirely different from those sought to be obtained by this Bill. The judgment obtained in Court did not annul the marriage contract. It merely sanctioned the living apart of the married couple, and the effect of such a judgment might be set aside by the simple consent of the parties at any time. It seemed to him that the House should not allow such an important measure as this to pass on evidence taken in a proceeding having in view an entirely different object, one

of much less importance and far less consequence than the present proceeding. While he would vote against the Bill under any circumstances—being opposed to it on principle—he also thought it his duty to direct the attention of the Government specially to the point he raised.

**Mr. Scatcherd** said that for all the purposes of the Bill the evidence submitted to the Senate was sufficient.

**Sir John A. Macdonald** said it was not for that House to impugn the action taken by the other branch of the Legislature. The question was whether or not the evidence taken before the other House was or was not sufficient. He took it that the evidence in this case was such that no court would refuse redress to the injured party. If ever a case for a divorce Bill had been made out this was one. As to the establishment of a Court of Divorce, which he knew was advocated by some, he was opposed to it. In England such a court had been established, because the expense of getting divorce through Parliament was so great as to amount to a practical denial of relief or redress to any except the wealthy. Here a man could get a Bill through the Legislature with even less expense than he could obtain redress from a legal tribunal.

The Bill was read a second time on the following division:—

**Yeas**—Ault, Bodwell, Bowell, Bowman, Bown, Brown, Burpee, Cameron (Huron), Cameron (Peel), Campbell, Carling, Cartwright, Connell, Crawford (Leeds), Dobbie, Dunkin, Fisher, Gibbs, Grover, Heath, Holmes, Howland, Jackson, Jones (Halifax), Jones (Leeds and Grenville), Keeler, Kempt, Kirkpatrick, Lapum, Lawson, Little, McDonald (Glengarry), Macdonald (Sir J. A.), McDonald, (Middlesex), Macfarlane, Mackenzie, Magill, McCallum, McConkey, MacDougall, McMonies, Metcalfe, Mills, Morris, Morison (Victoria), Morrison (Niagara), Munro, Merritt, Parker, Rankin, Read, Redford, Rose, Ross (Dundas), Ross (Prince Edward), Ross (Victoria, N.B.), Ryan (Kings, N.B.), Rymal, Scatcherd, Shanly, Sproat, Stevenson, Stirton, Thompson (Halimand), Thompson (Ontario), Tilley, Walsh, Webb, Wells, White, Whitehead, Wood, Workman, Young—74.

**Nays**—Messrs. Archambeault, Beaubien, Bechard, Bellerose, Benoit, Bertrand, Blanchet, Bourassa, Burton, Caron, Cartier, Cayley, Cheval, Coupal, Crawford (Brockville), Daoust, DeNiverville, Desaulnier,

Dorion, Dufresne, Fortier, Gaucher, Gaudet, Geoffrion, Gendron, Godin, Holton, Burdon, Irvine, Langevin, Masson (Soulanges), Masson (Terrebonne), McCarthy, McGreevey, McMillan (Vaudreuil), O'Connor, Paquet, Perry, Pinsonneault, Pouliot, Power, Pozer, Renaud, Robitaille, Ross (Champlain), Ryan (Montreal), Simard, Tremblay—48.

The Bill was then considered in Committee, read a third time and passed on a division.

#### CANADIAN MUTUAL INSURANCE COMPANY

The Committee on Banking and Commerce reported against Mr. Harrison's Bill to incorporate the Canadian Mutual Life Insurance Company.

#### BANKS OF NOVA SCOTIA

Mr. Jones (Halifax) moved the second reading of the Act respecting Banks of Nova Scotia.

Hon. Mr. Rose hoped the honourable gentleman would withdraw the Bill. It touched a portion of a subject of the utmost importance, the currency, and one which the Government had at present under its consideration, and he did not want it to be dealt with piecemeal. Besides it was a subject which engaged the attention of a Committee of the House, which had not yet finished its labours. He hoped the Bill would not be passed, as no inconvenience had been suffered in Nova Scotia from the want of a smaller circulation. There had been no injustice done to the banks of Nova Scotia, and there was no reason why the Legislature should at this time anticipate the probable action of the Government on the subject. Any measure now carried could only be in operation a few months, when it would have again to be changed.

Mr. Jones replied that he differed with the Finance Minister. The Nova Scotia banks were now prevented by statute from issuing notes of a less amount than twenty dollars. Last session the banks of Nova Scotia, so far as their liability to the Dominion was concerned, had been placed on a par with the other banks of the Dominion. Under these circumstances, was it fair or honest that the banks of Nova Scotia should be obliged to come under Dominion rules as well as the other banks, while at the same time they were placed in an unfair position? As regarded their circulation, if that was justice, he failed to appreciate it. Had the Government

intimated their intention of dealing with the whole question of banking and currency this session, he would have had no objections to have his measure over. But the utmost they could do was to speak of introducing such a measure next session. He was therefore compelled to move the second reading.

Hon. Mr. Holton hoped the Government would allow the measure to be read a second time, and be referred to the Committee on Banking and Currency.

Hon. Mr. Rose said the Government had no desire to do anything unjust towards the Nova Scotia Banks. On the understanding that the Government did not thereby assent in any way to the principle of the Bill, they would offer no objection to the second reading and reference to the Committee.

The Bill was read a second time, and referred to the Committee on Banking and Currency.

Messrs. Jones (Halifax), Wood and Dunkin were added to the Committee.

#### MILITIA BILL

The House went into Committee on the Militia Bill.

The Bill having been gone through except the money clause, the Committee rose and reported progress, and obtained leave to sit again to-morrow.

#### SALARIES OF DEPUTY MINISTER OF MILITIA AND OTHERS

Sir G. E. Cartier brought down a message from the Governor-General, recommending to the House certain resolutions respecting the salaries of the Deputy Minister of Militia and others.

Sir G. E. Cartier moved the House into Committee on said resolutions.

Hon. Mr. Holton said so far as he had been able to consult his friends, he believed they were willing to allow this stage to be taken without debate, reserving discussion until the member for Centre Wellington (Dr. Parker) moved his amendment to the whole Bill after the money clause had been incorporated with it, either on the question of concurrence, in the report of Committee of the Whole, or at the third reading.

The House then went into Committee on the resolutions—Mr. Campbell in the Chair.

The Committee reported the resolutions without amendment.



### TRIAL OF JUVENILE OFFENDERS

On motion of **Sir J. A. Macdonald** the House went into Committee of the Whole—**Mr. Bodwell** in the Chair—on the Bill for the more speedy trial and punishment of juvenile offenders.

The Committee reported the Bill, and it was ordered to be read a third time to-morrow.

### THE CIVIL SERVICE BILL

On motion of the **Hon. Mr. Rose**, the House went into Committee on the Bill respecting the Civil Service.

**Mr. Mackenzie** said this Bill had the fault which was characteristic of nearly all the legislation of this session—it was of a very indefinite character. It leaves too much in the hands of the Government, and he thought the House should get more specific information as to the individuals and classes to whom it would apply, and how it would affect them.

**Hon. Mr. Rose** said it would be utterly impracticable for the House to sit down and decide what should be the salary of every clerk and outside officer in the employment of the Government. The Government within the first fifteen days of the next session would lay before the House a distinct statement of all the changes they proposed to make. This would give the House all the control over the matter which they could reasonably require.

**Hon. Mr. Holton** said that there was great ado about whether the improvements spoken of would be extended to all the departments. No doubt the Finance Minister was sincere enough in his statements so far as his own department was concerned, but he was only one of many. It was to be regretted therefore that the Bill had not been made more definite.

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

### CONSOLIDATED REVENUE FUND

The House concurred in the amendments made in Committee of the Whole to the Consolidated Revenue Fund Bill, and the Bill was ordered for a third reading to-morrow.

### SALARIES OF MINISTERS AND JUDGES

On motion of **Hon. Mr. Rose**, the House went into Committee to consider resolutions

respecting the salaries and allowances attached to certain offices therein mentioned.

The resolution provided that the salaries of the Cabinet Ministers, Judges, and certain other functionaries should not be dependent on the annual vote of Parliament, but should be permanent charges on the Consolidated Revenue Fund.

**Hon. Mr. Holton** thought these salaries ought to be graduated. He did not see why all the ministers should be valued alike from the top to the bottom. There was, for instance, the Minister of Justice with whom he (**Mr. Holton**) had differed constantly. He was free to say he valued that honourable gentleman more highly than other public men and more highly than some of his colleagues. He (**Mr. Holton**) would be willing to attach a larger salary to that office than to some others which were of a subordinate character.

**Mr. Mackenzie** said that there were several ministers like the Minister of Customs, Minister of Inland Revenue, and Minister of Agriculture, concerning whom it was difficult to say what public business they found to employ their time. He objected to these unnecessary Cabinet officers being put on a permanent footing.

**Mr. Rymal** said that no doubt the Dominion was a first-class power and ought to do as other first-class powers did; but in truth the Dominion even went beyond them all, in the matter of Government at least. In Great Britain, where they had thirty millions of a population, their representative body was 658 members, and they had fifteen heads of departments. Honourable gentlemen would see at a glance how that compared with our system and resources. In the United States with, in round numbers, a population of thirty millions and 240 members, they had seven heads of departments. There they transact business yielding a revenue of \$500,000,000. That is to say there were four millions of population to each head of department, 35 members to each head of department, and each such officer, supposing the money to be equally divided—would have under his control \$70,000,000. In France, with her thirty-five millions of population, there were 218 members in the Corps Legislatif; eleven heads of departments; and they transacted a business yielding a revenue of 375 millions—being at the rate of three millions and a half of population to each head of department. At that rate, the Dominion would be entitled to just *one* head. (Laughter). In

point of revenue, it would take two of our heads to make one of theirs. (Laughter). Each one of the French Ministry managed on an average 35 millions of dollars of revenue, or controlled as much as our entire revenue. His honourable friend the Minister of War was of French descent—those gay gallant models of Frenchmen—(laughter)—and surely, although the honourable gentleman had been born in Canada, he had not so far degenerated below the stamp of a true Frenchman as not to be able to accomplish as much as they could. (Laughter). Under the Dominion arrangement there were some 300,000 of the population to every Minister; each member of the Cabinet controlled 13 members of Parliament, that is if the House were equally divided among the members of the Cabinet; but he believed he could point out three or four members of the Cabinet who could scarcely be said to manage 13 members. (Laughter). True, some of the other Ministers were beyond the average. (Laughter). Altogether, it was very clear that there were too many Cabinet Ministers in the House. The amount of legislation which they found it necessary to bring down, in order to set matters right, showed conclusively that everything was topsy-turvey. (Laughter).

**Hon. Sandfield Macdonald** said two of the heads of departments here provided for, did not exist. He was disposed, however, to let the Government proceed with the measures they thought necessary for carrying on the affairs of the Dominion, that the country might have a fair opportunity of judging of those measures by actual trial. When he was in the Government, he did not find 12 Cabinet officers too many. If he had had three or four more to dispose of, he might have succeeded in keeping gentlemen opposite out of office, and the country, he believed, would have considered that these three or four salaries would have been well spent in preventing the large expenses which followed in the Confederation trips to England and the like. He would be disposed to vote even larger salaries to the Judges than the Government here proposed. He objected, however, to the provision practically made in this measure for pensioning incompetent County Judges. The condition of the County Courts of Upper Canada was anything but satisfactory, and he could not consent for his part to the declaration implied in these resolutions that Judges who were an obstruction to the administration of justice, and a burlesque on it, should be continued in office or have a retiring allowance.

[Mr. Rymal (Wentworth South).]

**Sir John A. Macdonald**—There is no retiring allowance for them.

**Hon. Sandfield Macdonald** said he would give an illustration of how the retiring allowance was provided. In Stormont, Dundas, and Glengarry, the County Court Judge received \$2,800, and not long since the Government appointed a junior Judge with a salary of \$2,200. This junior Judge did all the work that had to be done, with time to spare; while the Judge who had nothing to do got his \$2,800, which was practically a retiring allowance greater than was allowed to retiring Judges of the Superior Courts.

**Mr. Scatcherd** said in Middlesex there was an urgent need of a Junior Judge. He wished to know if the order in which the Judges appeared in these resolutions indicated the order of precedence—whether the Chancellor, for example, was to rank immediately after the Lt.-Governor, and before the Chief Justice of the Queen's Bench.

**Sir John A. Macdonald** answered no. The order in the resolutions was merely accidental. He proceeded to vindicate the appointment of Junior Judges, of whom there were only three in Upper Canada. As regarded the Judge of Stormont, Dundas and Glengarry, he (Sir John) was every year less disposed to look on old age as a crime. Judge Jarvis was a worthy, respectable man, and a good Judge, and the oldest County Court Judge in Upper Canada, being upwards of 70 years of age. He could not do the work satisfactorily to his own conscience, and the Government therefore appointed a Junior Judge, but they had no power under the law to remove the Senior Judge or reduce his salary. The question of a Junior Judge for Middlesex was now under the consideration of the Government, but it would be unfair in the Government to deprive Judge Small of his living on account of his old age and increasing infirmities, and at all events they had no power to do so. He could not be removed except by impeachment, and no one would counsel such a course in such a case.

**Mr. M. C. Cameron** said when the Act authorizing Government to appoint Junior Judges was passed, there was a necessity for it, because then there was double the litigation that there is now, and the counties were larger; but the thought that now no Junior Judge should be appointed. Their appointment was only vindicated on the ground that some of the judges had got old and incapacitated for work. The proper plan would

be to abolish the law authorizing the appointment of Junior Judges, and to provide that County Judges who had served long and faithfully, and had become too old for work might retire like Superior Court Judges on a moderate pension.

**Sir John A. Macdonald**—This Parliament can't do it. It is only the Local Parliament that can do it.

**Mr. M. C. Cameron** hoped then that the Local Parliament would take it up.

**Mr. Mackenzie** said that he had letters from at least two of the Bar in Middlesex, giving reasons for the state of the Bar there, and showing that there was dissatisfaction with the County Judge. He (Mr. Mackenzie) deprecated the system of pensioning County Judges as one which would tend to pensioning generally. In his own county, he thought that the County Court Judge's business was light, and that he was fairly paid at \$2,000 per annum. The general run of County Judges could not make that amount at their profession, and it was a fact that even whenever a vacancy occurred, there were dozens of applicants for these offices. He objected strongly to pensioning. Why should lawyers be pensioned more than others?

**Mr. White** said he would prefer that the incumbent, if he was to receive an allowance,

should be put on a reduced salary, just as the Superior Judges were. With regard to Halton, it was notorious that the people there suffered very much from an inefficient Judge. Although the people there were very desirous to get rid of him, they thought the process so difficult and expensive that no one would undertake it. He (Mr. White) would desire that there should be a more simple remedy provided. Perhaps the easiest and best way would be that a commission should issue in the matter. As far as the present judge of Halton was concerned, he was a gentleman who gave entire satisfaction. (Hear, hear).

The resolutions were all adopted.

The Committee rose and reported them, and the report was ordered to be received to-day.

#### GOVERNMENT ORDERS DISCHARGED

**Sir John A. Macdonald** stated that three Government orders had been already discharged that day, and he then asked and obtained leave to discharge three more—the Act respecting controverted Parliamentary elections; the Act to regulate the sale of poisons; and the Act respecting proceedings in outlawry and attainder.

The House adjourned at three minutes past one o'clock a.m.



## HOUSE OF COMMONS

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Thursday, May 14, 1868

### FORENOON SITTING

The Speaker took the Chair at 11 o'clock.

### NORTHERN RAILWAY BILL

**Hon. Mr. Howland** introduced a Bill respecting the Northern Railway of Canada. He moved that the rule requiring notice of the Bill to hang for ten days in the lobby, before being considered by the Railway Committee, be suspended with reference to this Bill.

**Hon. Mr. Holton** objected that this motion could not be considered, to-day being a Government day. He said he took this course because members of the Government had objected on a point of order to a motion by Mr. Dorion for receiving a petition. He wanted to have equal weights and measures on both sides of the House.

The motion was allowed to stand.

### THE DUTIES OF JUSTICES OF THE PEACE

**Sir J. A. Macdonald** moved the third reading of the Bill respecting the duties of Justices of the Peace out of session, in regard to persons charged with indictable offences.

**Hon. Mr. Dorion** objected to this Bill, and to the next on the order paper, relating to duties of Justices of the Peace out of sessions with respect to summary convictions, that they related to matters which were not within the jurisdiction of the Dominion Parliament.

**Sir J. A. Macdonald** said the criminal law was expressly put within the jurisdiction of the Dominion Legislature, and it was therefore quite competent for this Legislature to pass this Bill.

After debate the objection was not pressed, the Bill was read a third time and passed.

On motion of **Sir J. A. Macdonald** the Bill respecting the duties of Justices of the Peace out of sessions in relation to summary convictions, and the Bill for the more speedy Trial and Punishment of Juvenile Offenders were also read a third time and passed.

In connection with the former of these Bills, there was a long conversation as to the justification of the Dominion or Local Legislatures respectively with reference to criminal law.

### DEPUTY MINISTER OF MILITIA

On motion of **Sir G. E. Cartier**, the resolutions reported from the Committee of the Whole respecting the salaries of the Deputy Minister of Militia, and others, were concurred in, and referred to the Committee on the Militia Bill.

### INDEMNITY TO M. P.'S

On the motion of **Sir J. A. Macdonald**, to declare certain persons therein mentioned indemnified for having sat and voted as members of the House of Commons, while holding certain offices under the Crown, was read a second time, and committed (Mr. Mills in the Chair) and, having been amended by the insertion of the name of **Hon. Mr. Archambeault**, was read a third time and passed, **Hon. Mr. Holton** expressing his hope that Ministers would induce their supporters to desist from the very discourteous conduct they had exhibited in the morning when the formal motion of the member for Hochelaga for reception of the petition of witnesses on election petition seeking remuneration for their time, and reimbursement for their expenses, had been rejected on the strict point of order. He assured honourable gentlemen opposite that, unless amends were to be made, the utmost rigour of the rules would be enforced by the Opposition.

### TONNAGE DUES

On motion of **Hon. J. Rose** the House then went into Committee to consider certain resolutions on the subject of tonnage duties now payable in the Provinces of Quebec, Nova Scotia, and New Brunswick.

**Hon. Col. Gray** in the Chair, which was agreed to and reception ordered for the next sitting.

It being two o'clock the House then adjourned.

## SECOND SITTING

The Speaker took the Chair at 4 o'clock.

## COURTESIES OF PARLIAMENT

**Sir G. E. Cartier**, referring to the complaint made by the member for Chateauguay, at the morning's sitting, of a want of courtesy towards the **Hon. Mr. Dorion**, in refusing the reception of the petition presented by him, explained that the cries of "no, no," by which the motion had been met, had not proceeded from the treasury bench; after which the petition was received.

On the motion of **Hon. Mr. Howland**, the 60th rule was then suspended in favour of the Northern Railway of Canada Bill.

## DESPATCH OF BUSINESS

**Hon. Mr. Dunkin** suggested that to facilitate the course of Select Committee business, there should be no morning sitting to-morrow, or if the Government were unwilling to consent to this proposal, that there should at least be no sitting between two and four o'clock. Both suggestions were allowed to lapse without discussion, Ministers dissenting.

## NORTH-WEST TERRITORY

**Hon. Mr. Holton** desired the Government to give the House some information as to the actual position of the North-West question. He observed from the papers which had been laid before the House, that when the Government transmitted the address of both Houses to England they were so urgent for a prompt answer that they asked the Duke of Buckingham to favour them with an answer per cable. That was something like five months ago. It was not to be presumed that His Grace had treated the Parliament of this country with so much contumely as would be implied in the statement that no reply had yet been given.

**Sir J. A. Macdonald** said this Government had been exceedingly anxious that the action of this Parliament should be at once considered by the Imperial Government. They had certainly taken a long time to consider it, which might be accounted for by political events of various sorts and other circumstances. He had now to state that Government were informed by cable a fortnight ago that a despatch was on its way. That had now been received, and would be brought down by message to-morrow.

## INTERCOLONIAL RAILROAD SURVEY

**Hon. Mr. Connell** complained that some of the most important documents connected with the Robinson Survey of the Intercolonial route had not been printed along with Mr. Fleming's report. The reply of Mr. Wilkinson to Major Robinson had been omitted altogether. He wished to draw the attention of the Printing Committee to the matter.

**Mr. Mackenzie** said it had been left to the New Brunswick gentlemen who were members of the Printing Committee to mark the documents which should be printed. He supposed some mistake had occurred, and would make inquiry with a view to its being remedied.

QUEBEC CONFEDERATION RESOLUTIONS  
—THE ALTERATIONS MADE IN  
ENGLAND

**Hon. Mr. Rose** moved the third reading of the Consolidated Revenue Fund Bill.

**Sir J. A. Macdonald** gave some explanations promised in a former debate, as to the alterations from the Quebec resolutions made in the Imperial Act with reference to the subsidies—besides the 80 cents a head, fixed annual sums of \$80,000 to Ontario; \$70,000 to Quebec; \$60,000 to Nova Scotia; and \$50,000 to New Brunswick. It had been urged by the Maritime delegates that some fixed grant in addition to the 80 cents a head was necessary in order to provide for the expenses of the Government, and the amounts had been fixed somewhat according to population, although the differences were not equivalent to the differences of population. The other important change was that, so far as Nova Scotia and New Brunswick were concerned, the payment of 80 cents a head should continue in proportion to population until the population of each of these Provinces reached 400,000 souls; while in Ontario and Quebec the payments should continue according to the population of 1861. It was considered that there were certain fixed expenses, common to each Government, which made it only just that these differences should be made in favour of the two Provinces having the least population.

**Hon. Mr. Holton** hoped the member for Sherbrooke would also favour the House with some explanations as to these charges. The Imperial Act did not make these subsidies a charge on the Consolidated Revenue. In the former debate, in the absence of the member

for Sherbrooke, it was urged on his (Mr. Holton's) side of the House, that they ought either to be made a permanent charge on the Consolidated Revenue, or should be subject to an annual vote, as they had never hitherto been brought under review of Parliament at all. It was then also urged that some explanation should be given of the reasons which had led to the departure from the Quebec Resolutions, chiefly with respect to financial arrangements; and he thought these explanations might particularly be looked for from the member for Sherbrooke, who specially had had charge of the financial arrangements.

**Hon. Mr. Galt** said he agreed with the member for Chateauguay that these subsidies ought to be made charges on the Consolidated Revenue. He believed that was the intention of the Imperial Act. As regarded the changes made from the resolutions, as adopted by the Parliament of Canada, it was well known that it was anticipated some changes would be made when the delegation proceeded to England. It was quite certain some changes having reference to the financial arrangements must be acquiesced in. These changes referred first to the allowance of a certain sum to the several Provinces to defray the expenses of the civil government. The ground for these changes was the alleged inability of Nova Scotia and New Brunswick to carry on their local machinery of Government without further pecuniary aid than was arranged at Quebec, without which there would have arisen an insuperable obstacle to the Union. It was pointed out by the representatives of the Maritime Provinces that the expenses of the civil Government of the Provinces were not in proportion to the population. The expenses of the Province of Ontario, for example, for its civil Government, were not likely to be five or six times as great as those of New Brunswick. It was thought reasonable, therefore, that allowances should be made which should be fair to all the Provinces. The sums finally arrived at were based on a consideration of the salaries of the various offices, the expenses of the Contingencies of Departments, etc. They also bore some proportion to the population, although not fixed strictly according to *pro rata* rate. As regarded the other alteration from the basing of the 80 cents a head on the populations as at the last census, it was represented that the Maritime Provinces, not having municipal systems, had many expenses falling on them which would not be a charge on the revenues of Ontario and Quebec; and moreover, that as the population of the Maritime Provinces in

many localities was very sparse, it would not be fair to limit their subsidy to the amount of their existing population. If the views of the Maritime Provinces in this respect had not been met, it was seen that difficulties might arise which would greatly tend to mar the well-working of Confederation; for this reason it was provided that the subsidy to Nova Scotia and New Brunswick should be 80 cents a head until the population of each Province should reach 400,000—that of Nova Scotia, by last census, being 330,000, and that of New Brunswick 250,000. In the case of New Brunswick, some few years must elapse before it reached that figure. For ten years New Brunswick was to receive the additional allowance of 63,000 per annum, and it was supposed that by that time the 80 cents a head would be paid on a population of 400,000, so that the Province would then be able to dispense with the 63,000.

**Mr. Mackenzie** said he would not enter just now on a discussion of the question to which these explanations had reference; but the member for Sherbrooke had made one or two statements of so extraordinary a character that he could not allow them to pass without notice. The honourable gentleman had stated that it was well known before the delegates left for England that some change would be necessary in the financial arrangement. As to this, he would remark that the Parliament of the late Province of Canada sat five or six weeks after the delegates from the Maritime Provinces left for England, and during all that time there was no hint that any change would be made in the arrangements.

**Hon. Mr. Galt** said when he stated it was understood some change would have to be made from the Quebec resolutions, he certainly believed that he stated, what was in accordance with the fact, that it was so understood in Canada generally. He might say, however, that while Parliament was sitting and before the delegates went to London, there was no understanding with reference to any change in the financial arrangements.

**Mr. Mackenzie** said he accepted the honourable gentleman's explanation. He might say, however, that in the session of 1866 questions were put from his side of the House as to the probability of any changes being granted, as they knew that changes had been demanded in the Lower Provinces, and the Minister of Justice and Minister of Militia then announced very explicitly, oftener than once, that no change was in contemplation,

and no change would be made. (Hear, hear). He had not agreed with all the resolutions adopted at Quebec; he had not, however, been disposed to criticize them too closely, but had been willing to accept them as a whole as being of the nature of a treaty; but when he found that the delegates from the Lower Provinces had not treated them in the same way as our own delegates, he had been particular to ask whether our Government would allow any alterations to be made, and he was assured repeatedly that no changes were intended or would be allowed.

#### DEFERRED ITEMS OF SUPPLY

**Hon. Mr. Rose** moved concurrence in the deferred items of supply.

**Hon. Mr. Holton** explained that in asking these items to be received, he did so in the hope that some gentleman connected with the delegation not present when the question came up before would desire to make an explanation. In connection with the second item, Contingencies of Customs, he desired to ask the Government how it was that an important office like that of the Collector of Customs of the port of Toronto had been left vacant so long. He had reason to believe that in consequence of this state of things the affairs of the office were in a state of confusion. The honourable gentleman at the head of the Government was bound either to ask Parliament to abolish the office when the vacancy occurred, or else to fill it at the earliest moment. Of course, it was absurd to think of abolishing such an office at an important port like Toronto. Why, then, had it been left vacant so long? and why were other offices—such, for instance, as the County Judge of the great metropolitan County of York—left vacant so long? Honourable gentlemen from that part of the country not having brought this subject up, he had thought it necessary to do so, as it was one affecting the public revenue. He could very well understand that this delay might have arisen out of the antagonistic pretences of the two gentlemen representing Toronto. The one was a man of old-time Conservative views, and had no doubt his own opinion as to the proper person to fill that office. The honourable gentleman from East Toronto still considered himself as a Reformer, and no doubt differed with his colleague in regard to the disposition of the office. (Hear, and laughter). With this conflict he (Mr. Holton) had no desire to interfere; but, as a representative in that House, he had a right to urge on the

[Mr. Mackenzie (Lambton).]

Government the performance of their duty in this respect. As to the question of patronage, his opinion was, that if such claims had been put forth, the honourable gentleman from Toronto had nothing to do with that particular piece of patronage. As the member for Chateauguay, he had as much interest, and as much right to make his voice heard in the appointment of Collector of Customs for Toronto, as had the two gentlemen representing Toronto in Parliament.

**Sir J. A. Macdonald** said that in a constitutional point of view the honourable gentleman had no right at all to the exercise of the patronage alluded to. As to the particular office under discussion, there had been no complaints that the public interest had suffered in consequence of the non-appointment of a successor to the late Mr. Spence. In the next place the second in command was a very worthy officer, who had discharged the duties of Collector in such a way that nothing had been lost to the public.

**Hon. Mr. Holton**—That is a great mistake.

**Sir J. A. Macdonald**—Mr. Scott, the Deputy Collector, is an able officer.

**Hon. Mr. Holton** was not attacking Mr. Scott. The office and its duties were what he (Mr. Holton) had alluded to.

**Sir J. A. Macdonald** said the duties had been satisfactorily performed, so that was all that could be said about the matter. In the meantime, it was clear the salary of the Collector had been saved. He would add that commercial men had pressed on the Government to appoint Mr. Scott to the position of Collector. He (Sir John) could inform the House that, so far as he knew, there was no real or supposed conflict between the sitting members of Toronto on this question. There was really no need for hurry in the matter so long as the public interests did not suffer. In fact, since Parliament met, the matter had almost escaped his observation altogether.

**Mr. Mackenzie** said the honourable member for Chateauguay was quite unreasonable. He had been in Parliament long enough with the leader of the Government to know his policy concerning the filling of appointments. (Laughter). Whenever an office was vacant his policy was not to fill it in less than a few months, at all events. The House understood that fully (—Renewed laughter)—and the reason was obvious. Here, for example, this Collectorship had been vacant some months. There had been a dozen or two of applicants,



and these men were undertaking all sorts of service for the Ministry, each hoping in this way to secure the appointment. (Hear and laughter). Men of doubtful policies assure the Premier they're entirely with him, are most devoted to his service; and all these adherents have their hearts set on the Collectorship. (Laughter). He (Mr. Mackenzie) would not go so far as to say the leader of the Government deceived any of these office-seekers; but the honourable gentleman managed to give such an answer to each that every one of them became firmly convinced he was to be the lucky individual—(laughter)—and all went away rejoicing. Now there was no doubt that the honourable leader of the Government had fixed his mind from the first on the particular individual to get the appointment, but he delayed until he commits a score or two of these people up to their necks,—until he so thoroughly commits them, in making themselves qualified, that there is little fear of their retracing their steps. These men praise Sir John in Toronto and throughout the country as one of the best men that ever governed. (Loud laughter). Such men were prepared to do anything for the Government—either go to British Columbia, conciliate Nova Scotia, or anything else, and the result was a public demoralization which was very deplorable. (Hear). He would like to hear from the member for East Toronto whether the duties of Collector were now as efficiently discharged as when the late Collector was alive. Then the Minister of Customs surely had something to say on a subject which specially belonged to his department. He (Mr. Mackenzie) trusted that the honourable member from East Toronto, who happened to be the only member from Toronto ever present in the House (hear), would enlighten the house on this subject.

Mr. Jones said that these useless discussions ought not to be persisted in. Sometimes the Government were blamed for appointing too many public servants—now they were blamed for not filling vacant offices at once.

The motion was carried.

#### JUDGES' SALARY

Hon. Mr. Rose moved concurrence in the resolutions reported from the Committee of the Whole respecting the salaries and allowances attached to certain offices therein mentioned.

Mr. Dufresne moved in amendment that the resolutions be referred back to the

Committee of the Whole, with instructions to amend the same by striking out from the 7th and 8th lines of the second resolution, the words "Or as may be granted to such Judge under the provisions of this Act on his resigning office after it takes effect," and also to strike out altogether the fourth resolution relating to the granting of pensions to Judges. He said that the principle contained in the fourth resolution was introduced into the Legislature of Canada in 1863, when the honourable member for Cornwall was Premier. At the present Parliament there had been a good deal of talk about economy, and it was not in accordance with that principle that a new class of state pensioners should be created. It was now proposed to pension Judges—a proposition which was strongly opposed by the present Minister of Militia in 1863, but one of which he was now the advocate. (Hear, hear). Believing that the system of pensioning proposed to be a bad one, he moved his amendments.

Sir G. E. Cartier explained that he still held the same opinion regarding the pensioning of Judges which he advocated in 1863. He then held, and still held, that it was absurd to pension off Judges in fifteen years; but the present measure was a very different proposition. To attempt to introduce such a measure the honourable gentleman alluded to, providing for pensioning off Judges in fifteen years, would be to do something which would inevitably secure the defeat of any Government attempting it.

The House rose at six o'clock.

#### EVENING SITTING

The Speaker explained that the resolutions would be put *seriatim*, and the first having been concurred in, on the second being put,

Mr. Masson (Soulanges) continued the discussion, maintaining that the salaries given to Judges were excessive, and were only passed so easily because of the large proportion of lawyers in the House, each of whom looked forward himself to one day attaining the bench. (Laughter). He was strongly opposed to the principle of granting pensions, more especially to officials whose incompetence and immorality were, in many instances, notorious. He would suggest the retention of a percentage, say five, from the salaries paid, which would accumulate to a considerable sum available for future retiring allowances. He regretted being compelled to vote against the Government, but was compelled conscientiously to do so on the present motion.

**Hon. Mr. Holton**, although considering the amendment as involving a stronger expression of want of confidence than that recently proposed by himself, would support the Government on the principle which he believed to be correct—that of assimilating the position of the Bench of Quebec to that of Ontario.

After some remarks from **Mr. Chamberlin**,

**Mr. Jones** would prefer to see the system assimilated by the repeal of the judicial privileges of Ontario, rather than by their extension to Quebec. Retiring judges frequently got excellent appointments, as arbitrators for example. The principles of extravagance, of which this was one of the fruits, which were being introduced in the country would impose upon the resources and people of the Dominion a burden heavier than they could bear.

**Sir John A. Macdonald** defended the practice prevailing in Upper Canada. So far from abusing the privilege conceded to them, but two judges had ever availed themselves of it, and these, of one of whom, the late Chancellor Elake, he could not speak too highly, after their retirement, had worked in the Court of Appeal until the hour of their deaths. It was a wise economy to permit of the Government's securing the efficiency of the Bench by being able to suggest to any judge who had outlived his vigor that his retirement was desirable and feasible. It must be remembered that a judge was debarred from command of any other professional resources than those afforded by his position, and unless born with a silver spoon in his mouth, as very few were in this country, was in the absence of a provision of the nature proposed, left in his old age to the choice between the preservation of an office for which he was unfitted, and the abandonment of his only source of income.

**Sir G. E. Cartier** having paid a high compliment to the character and efficiency of **Mr. Justice Day**, whom he defended from the insinuations brought against him by the honourable member for Leeds.

**Mr. F. Jones** explained that he had no intention of making personal reflections upon either of the two distinguished gentlemen named, but he merely referred to the circumstances of their respective cases in illustration of his general argument.

**Mr. Mackenzie** expressed his acknowledgments to the honourable Premier, for the

handsome manner in which he had defended **Mr. Blake's** high character, and would support the motion of the Government, believing it to be necessary to provide some provision for gentlemen whose health had failed in the public service, and only just to place the judiciary of both Provinces on an equal footing.

The amendment was then put, and the House divided with the following result:—

**Yes, 35; Nays, 105;** after which the second and third resolutions were concurred in.

**Mr. Dufresne** having demanded a division on the fourth, concurrence was taken by a vote of 101 to 35, after which the fifth and last was concurred in without discussion.

On the motion of the **Hon. Mr. Rose** leave was then given to introduce a Bill (founded on the above resolutions) entitled "An Act to provide for the Governor-General's civil list, and for the salaries of other officials, the second reading of which was ordered for to-morrow (this day).

#### EVIDENCE BY COMMISSION

**Sir J. A. Macdonald** introduced a Bill providing for the reception of evidence taken in any other portion of Her Majesty's Dominions, the second reading of which was ordered for to-morrow (this day).

#### RAILWAYS

**Sir G. E. Cartier** presented the report of the Standing Committee upon Railways, agreeing to a Bill entitled an Act respecting railways.

#### MESSAGE FROM SENATE

The Speaker read a message from the Senate reporting their argument with certain amendments to the Bill, respecting Penitentiaries, the Bill for securing copyright, and the Bill for the amalgamation of the Commercial and Merchants' Banks, the amendments upon which were ordered for consideration to-day.

#### THE PUBLIC WORKS

**Hon. Mr. Rose** moved the reception of the report of the Committee of Supply. It had relation to one item only—that for Public Works.

**Mr. Mackenzie** said he had intimated a few days ago that it was his intention when this item was brought up to place the House in

possession of some facts which he thought they ought to be acquainted with. As to the manner in which some of the works in the Public Works Department has been conducted, it would be remembered that some time ago he called the attention of the House incidentally to the extraordinary amount of public money paid to one of the officers of the department—Mr. Page, the Chief Engineer. He pointed out that while that gentleman's salary was nominally \$3,400 he actually received last year \$7,437; the previous year \$5,665; and the year before that \$4,974—a total during these three years of \$17,476, a sum much larger than the Premier of the Government received during the same period. He thought it was due to the public that the services of a public functionary paid for at such a rate should be well discharged. But his (Mr. Mackenzie's) impression was, from the facts which he would bring under the notice of the House, that that officer was either incapable of discharging the duties connected with these buildings, or that he displayed an utter lack of that attention to his duties which the House had a right to expect at his hands. When the contract was renewed, some years ago, with the contractors for these buildings, a schedule of prices was arranged, which it was understood should govern all works connected with the buildings. In the return recently brought down, it was stated that the prices were arrived at by calculating the quantities of each class of works according to the schedule rates, and that to items to which none of the schedule rates would apply, prices considered fair and reasonable were affixed. As the return did not specify which of the items were paid for at the schedule rates, he had moved for another return to supply that information. This supplementary return brought down to-day, showed that the works, instead of being paid for at schedule rates, had been set down at bulk sums agreed upon between the contractors and the Chief Engineer, and closed with this extraordinary paragraph, by Mr. Page:—"I beg to remark that, had it been anticipated such unusually minute details would have been called for, matters might have been placed in such a position that the class of information now asked for might have been supplied." His (Mr. Mackenzie's) impression had been that the accounts as to public works should have been to keep that full information in regard to the expenditure on all of them should always be accessible. This Mr. Page, in addition to his salary of \$3,400, had received \$5 a day to superintend these buildings, and since 1864 his time had been almost wholly devoted to them. And not only was he the sole superintendent of the buildings, but when an arbitration was appointed to settle the claims of the arbitrators, he was appointed sole arbitrator to settle his own accounts. He would now give some specimens of the accounts for these buildings, sanctioned by the Chief Engineer. For the shelving in the post office of the House the amount certified and paid was \$1,450. (Cries of Oh, oh!) He had endeavoured to apply the schedule rates to that work, and, according to the rates, it would have amounted to \$650, so that there had been an absolute overcharge for that particular work of \$800—a small lift, for lowering the mail bags cost \$170, while at the schedule rates it should have been \$41. The two screens separating the east and west corridors from the post office corridor cost each \$310, while their value under the schedule rates was \$180 each. For fitting up the post office in the Senate \$1,200 was charged. At schedule rates the work would have been about \$520. The lift there for lowering the mails cost \$170, while the real value was \$41. The screen in front of the retiring room at each end of the buildings was charged \$345, and should have cost \$210. The screens across the corridors were put down at \$310, when they were only worth \$180. The platform on which the Speaker's Chair was placed, merely the three steps, exclusively of the upholstery and carpet, was paid for at the rate of \$130—(cries of "Oh, oh!")—while the utmost possible value attached to it by schedule rates would have been \$70. The wood work of the fitting up of the throne in the Senate was \$447, and was worth, as nearly as he could estimate, \$200. Some common rough shelving in the vaults for keeping records and papers, was put down at \$512, and at schedule rates should have been \$369. Some work in the attics, shelving, doors, and glazing for windows, was charged \$394, and should have been \$136. Fitting up a record room in the Senate should have cost \$90, but \$240 were paid. Fitting up stationery in the Senates should have cost \$56, but \$164 was paid. The wooden post on which the rails of the bar of this House rested was worth \$5, and \$25 was paid; and when it was removed from the end of the hall to its side, \$25 was again charged and paid! (Cries of "Oh, oh!") Having mentioned some other similar items, Mr. Mackenzie said these were but a few specimens of the frightful manner in which the public money had been squandered. In 1863, when the commissioners made their

report, the amount over-paid to the contractors on all the buildings was \$75,000. After this, while that amount was owing by them, they were paid regularly, as the work proceeded, at schedule rates; but when they again demanded an arbitration, Mr. Page and his two coadjutors awarded them something like \$90,000 on these buildings in addition to what they had received under their contracts. He confessed he was utterly unable to understand on what principle these extraordinary figures had been arrived at, and how an officer employed by the Government, trusted by the Government, and paid so large a salary by Government should have allowed such charges, was to him inconceivable. He held it to be the duty of the Minister of Public Works to have these charges reinvestigated, and to see that if Mr. Page had allowed prices for these works which he ought not to have allowed, he (Mr. Page) should pay the excess himself, (Hear, hear.) A change had been made in the roof over the reading room, and over the corresponding portion of the building in the Senate wing, so that the snow should not rest on them as formerly, and Mr. Page had allowed for this change about \$7,000—enough to build a first-class house. He did not observe here the piece of the front door, but he was told it had absolutely cost \$350. They supposed the handle on the doors were fine porcelain. Here was a piece of one of them he had picked up, and it was a common brick. (Hear, hear.) Having observed in one of the returns the name of Robt. H. McGreevey as the contractor and having understood that Thomas McGreevey was the contractor, he had moved for a return of the contract with Robert McGreevey. The return stated that Thomas had transferred his contract to Robert, and on the report of Mr. Chapais, then Minister of Public Works, an Order-in-Council was passed sanctioning the transfer. He (Mr. Mackenzie) doubted very much the regularity and propriety of sanctioning a transfer of this kind from the former contractor, now a member of this House, to his brother, who had been concerned with him in the erection of these buildings from first to last. Among the items of work done by Robert McGreevey, he found that for the wardrobe in which members hung their hats and overcoats, two hundred in number, \$1,681 were paid. He had asked a number of practical men, thoroughly acquainted with that kind of work, what they were worth, and they had estimated them at various rates

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from \$1.75 to \$2.50 each; while the amount actually paid on the certificate of Mr. Page was \$8. In the first return it was stated that the schedule rates governed the prices so far as applicable, yet in no single instance had they been applied. In fitting up the shelving in the library all the old shelving from Quebec was used, \$3,305 was paid, which any one who looked at it must see at once that it was a most exorbitant charge. So far as he could ascertain, this had been the practice. The contractor was asked how much he would do certain work for and said \$500, while in fact it was worth \$100. Mr. Page brought him down to \$200, and represented that he had made a fine bargain. In this Chamber there were five porches—each one had cost \$65. Some of the doors of the Chamber had been moved from one place to another, and for this, and filling up the old doorways, \$480 was charged. The wood work of the bar in the Senate cost \$120. These were fair specimens of the way in which the work on these buildings had been carried on and paid for by the Public Works Department, and he thought that they showed the necessity of a reform in that Department. He had pointed out with reference to the canals a circumstance which justified the suspicion that there was more than incompetency on the part of this particular officer. When he recommended 30¢ a yard for excavations on the Grenville Canal, one must suspect his management on the canals to be as bad as anything done in this building. He regretted exceedingly the painful necessity under which he found himself of bringing this matter before the House. He would like to be able to speak highly of our officials, and he sincerely trusted the present Minister of Public Works would be able to put his department on a more satisfactory footing than it seemed to be on at present. When that honourable gentleman became Commissioner of Crown Lands in the late Province of Canada, he introduced many reforms into that department, and succeeded in economising the public money to a great extent. He hoped the honourable gentleman would devote his energies to accomplishing a similar reform in this department. If such things as he had mentioned took place under the very eyes of this House, they might judge what would be done in places where they had no such opportunities of inspection. (Hear, hear.) When \$7,030 had been spent in altering the arrangements of the seats in this Chamber and making a few changes in the galleries, they might conceive what enormous charges

would be made on works which were not, like these, from day to day under eyes of the House. (Hear, hear).

**Hon. Mr. McDougall** did not know that it was peculiarly his duty to defend Mr. Page. If there was one man more than another in Canada whose character and ability were above reproach, it was Mr. Page. As honourable gentlemen knew, the Government entered into a contract for the erection of these buildings at rates which it since turned out were altogether inadequate, and fresh contracts had to be entered into. Subsequently, by request of the Government, Mr. Page was induced to take up the superintendence of the work for the completion of the building. For this, he was paid in addition to his salary \$5 a day, and under the arrangement there could be no doubt but a large sum of money had been saved to the public. As to the details of the management of the House, if the honourable member for Lambton required more minute information, the Government would request Mr. Page to furnish a statement in detail. As to his services as arbitrator, they had been of great service both to the contractors and the Government, and the extra pay received by him for extra services was very little, and not at all such as to justify the violent attack of the member for Lambton.

**Mr. Mackenzie** said the honourable gentleman's explanation did not touch the point. Mr. Page stated that the payments had been at schedule rates, and he (Mr. Mackenzie) had shown that this was far from being the case.

**Hon. Mr. McDougall** said that the statement made was that the schedule rates had obtained as far as possible.

**Hon. Mr. Mackenzie** said that clearly they had not "obtained as far as possible"; and, beyond doubt the taxpayers of the country would demand a more reasonable explanation at the hands of the honourable gentleman than he had yet given. They would see to it that he accounted properly for such a reckless waste of the public money.

**Hon. Mr. Holton** said that the violent attack of the Minister of Public Works on the member for Lambton had been most uncalled for. It was very clear that the member for Lambton had demonstrated that Mr. Page had undertaken duties for which he was not qualified. No man was more highly esteemed than Mr. Page, but it was quite impossible that he should at the one time have been

performing the duties of architect, engineer and superintendent, and should have been entitled to draw full salaries for each office. The honourable member had proved great extravagance by the Board of Public Works. Gross overpayments had been made by the order of that Board, and the manner in which these disclosures had been met was very disgraceful.

**Dr. Parker** said that the accusations of the member for Lambton against the Commissioner of Public Works and his Board were clear and distinct, and had not been answered. Until they had been so answered, the country could not place a particle of confidence in that department or its head; and he would say the man sanctioning the expenditure advised by Mr. Page ought to be dismissed.

**Sir John A. Macdonald** could not see how the Minister of Public Works was open to the expressions of the member for Chateauguay. How did the matter stand? On the one hand they had the certificate of one of the most able and honest of engineers, Mr. Page, and he certified to the expenses as proper and correct. On the other hand, there was the statement of the member for Lambton—a statement for which he certainly deserved the thanks of the House. But the Commissioner of Public Works had done all he could to obtain the services of the most faithful and efficient of engineers, and also promised that gentleman should furnish the member for Lambton with any detailed statement which could fairly be demanded. As to the attack on Mr. Page by the member for Centre Wellington, it was not only uncalled for, but he (Sir John) believed it would not be sanctioned by either the member for Lambton or Chateauguay.

**Mr. Mackenzie** justified his action, and said there was something he had not mentioned yet. Not only had he given the Commissioner of Public Works full notice, three weeks ago, that this matter would be brought up, but the Government now in office were in office in '66, and knew of the items to which he now called attention. (Hear).

**Messrs. Bodwell, White, and Stirton** also condemned the extravagance of the Board of Works.

**Mr. Metcalfe** defended Mr. Page, and said he knew him for many years to be a most efficient engineer and worthy man.

The report was adopted.

On motion of **Hon. Mr. Howland**, the amendments made by the Senate to the Bill constituting the Department of Inland Revenue, were read a second time.

#### MILITIA BILL

On motion of **Sir G. E. Cartier**, the House again went into Committee on the Militia Bill, **Mr. S. Campbell** in the Chair.

The Committee rose and reported—the report to be received to-morrow.

#### BILL OF SUPPLY

**Hon. Mr. Rose** introduced the Bill of Supply—second reading to-morrow.

**Hon. Mr. Holton** said that at this stage there were two Bills which he hoped the Government would not proceed with—the Independence of Parliament Bill and the Insurance Bill. If these measures and the Insolvency Bill were left over, he believed Opposition would do what they could to enable ministers to get through the business by Saturday.

**Hon. Mr. Rose** said that the Government were anxious to press the Insurance Bill. They had consulted almost every interest on the subject, and it would be a pity to delay the Bill.

**Hon. Mr. Dunkin** objected to the Bill being proceeded with at a period of the session when it was impossible to consider a measure of its importance thoroughly.

**Mr. Young** hoped the honourable gentleman would not proceed with the Bill, as several of the Provincial Companies were opposed to the measure. This Bill interfered with the corporate powers given in Ontario to some of these Companies, and is objectionable on that ground.

**Hon. Mr. Holton** said that the Government might perhaps be able to decide the matter to-morrow.

#### CRUELTY TO ANIMALS

The Bill respecting cruelty to animals was read a second time, considered in Committee, report received, and Bill ordered for third reading to-morrow.

#### DEPARTMENT OF AGRICULTURE

The Bill for the organization of the Department of Agriculture was read a second time on a division, considered in Committee, to be read a third time to-morrow.

#### DUTY ON SPIRITS

The Bill to increase the duty on spirits, to impose an excise duty on refined petroleum, and to provide for the inspection thereof, was read a second time, considered in Committee, reported, and ordered for a third reading to-morrow.

#### FORTIFICATIONS

On motion of **Sir G. E. Cartier**, the Bill to make provision for defraying the expenses of certain works of fortification required for the defence of the Dominion, was read a second time, considered in Committee, and ordered to be read a third time to-morrow.

#### HARBOUR OF QUEBEC

**Hon. Mr. Rose** moved the second reading of the Bill providing for the management of the harbour of Quebec. Carried.

The House went into Committee on the Bill. The Committee rose, reported it, the report was received, and the Bill was ordered for a third reading to-morrow.

The House adjourned at half-past 12.

## HOUSE OF COMMONS

Friday, May 15, 1868

The Speaker took the Chair at 11 o'clock.

### CRUELTY TO ANIMALS

On motion of **Sir J. A. Macdonald**, the Bill respecting cruelty to animals was read a third time and passed.

### DEPARTMENT OF AGRICULTURE

**Hon. Mr. Langevin** moved the third reading of the Bill for the organization of the Department of Agriculture.

**Mr. Mackenzie** moved in amendment—"That the Bill be not now read a third time, but that it be received that in the opinion of this House it is inexpedient to establish a Department of Agriculture, as it is the evident intention of the British North America Act to place matters relating to agriculture under the control of the Local Governments, and that the duties relating to agriculture which fairly belong to such department can be less expensively performed by being assigned to some other department of the Government." He said that having on several previous occasions expressed his opinion that there were too many departments, he felt bound to place on record his conviction that this was one of the departments which ought not to have been established, and that all the duties assigned to it could be discharged quite as well by one of the other departments. As agriculture was a matter pertaining almost entirely to the Local Governments, he thought there could be no good reason why we should have a Department of Agriculture in the Dominion Government. As a matter of fact, there was an agricultural department in Ontario, presided over by the member for London; another in Quebec; and one in each of the other Provinces, though not specifically under that name; and as the Local Government would have to attend to everything connected with agriculture, and the Dominion Government could have no possible control over the agriculture of the several Provinces, this department seemed to him quite unnecessary.

**Hon. Mr. Langevin** said the member for Lambton seemed to suppose that the only duties of this Department were to look after agriculture. But if he would look at the Bill he would find they were only one of nine sets of duties assigned to the Department. The enumeration of subjects included within the control of the Department were Agriculture, Immigration, Public Health, Quarantine, the Marine and Immigrant Hospital at Quebec, Arts and Manufactures, the Census, Statistics and Registration of Statistics, Patents of Invention, Copyright, Industrial Designs and Trade Marks. He contended these were duties enough fully to occupy the time of the Head of the Department.

**Hon. Mr. Dorion** supported the amendment. The duties assigned to this Department were mere child's play, and any one who really desired economy would vote for the amendment.

**Hon. Mr. Holton** said the duties specified might very well be assigned to the President of the Council, who had almost nothing to do, and who formerly, in the late Province of Canada, had the duties corresponding to these attached to his Department.

**Sir John A. Macdonald** said the great interest of immigration could not be ignored by the Dominion Government. It was necessary there should be a Minister charged with the care of that interest, to correspond with the Imperial Government and others—and agriculture went hand in hand with it. There must be on that subject some central authority and medium of communication to prevent the Provinces in their separate action running counter to each other.

**Mr. Mackenzie** briefly replied to the Secretary of State and Minister of Justice, contending that they had completely failed to make out a case for the separate existence of this department.

**Mr. Rymal** said as each of the Local Governments had an Agriculture Department, if there was another established here, either the Department here would usurp the functions of the local departments, or these would do the work of the Dominion Department. It

appeared to him no Minister of Agriculture we had ever had was worth his salary. It was only to serve political necessities that so many useless departments were created.

**Hon. Mr. Anglin** thought there was a good deal of force in the argument, in a former debate, that each of the Lower Provinces should have two representatives in the Government, and that starting from this as a basis, the present number of members of the Privy Council become a necessity. He had regarded this as one of the inevitable consequences of Confederation. But while it might be expedient to have thirteen members of Privy Council—it was not at all necessary that there should be so many departments, each with an enormous and expensive staff. He felt with these views somewhat at a loss how to vote on this occasion, but he thought he should probably vote with the Government.

The amendment was lost:—**Yeas, 45; Nays, 91.**

**Yeas**—Bechard, Bodwell, Bourassa, Bowell, Bowman, Brown, Burpee, Cameron (Inverness), Chamberlin, Cheval, Coffin, Connell, Coupal, Dorion, Ferris, Geoffrion, Godin, Holton, Johnson, Jones (Halifax), Kempt, Macfarlane, Mackenzie, McConkey, McMonies, Metcalfe, Mills, Morison (Victoria), Oliver, Parker, Pinsonneault, Power, Ray, Redford, Ross (P.E.), Ross (Victoria), Rymal, Savary, Snider, Stirton, Thompson (Haldimand), Thompson (Ontario), Wallace, Wells, Young.

**Nays**—Abbott, Anglin, Archambeault, Ault, Beaty, Bellerose, Benoit, Bertrand, Blanchet, Bolton, Bown, Burton, Cameron (Peel), Campbell, Carling, Caron, Cartier, Casault, Cayley, Chauveau, Cimon, Crawford (Brockville), Crawford (Leeds), Daoust, DeNiverville, Desaulnier, Dobbie, Drew, Dufresne, Dunkin, Ferguson, Fortier, Fortin, Galt, Gaucher, Gaudet, Gendron, Gibbs, Gray, Grover, Hagar, Holmes, Howland, Hurdon, Irvine, Jackson, Keller, Kirkpatrick, Langevin, Langlois, Lapum, Lawson, Little, Macdonald (Cornwall), McDonald (Glengarry), Macdonald (Sir John), McDonald (Middlesex), Masson (Soulanges), Masson (Terrebonne), McCallum, McCarthy, McGreevey, McKeagney, McMillan, Merrit, Morris, Morrison (Niagara), Munroe, O'Connor, Paquet, Perry, Pope, Pouliot, Rankin, Read, Renaud, Robitaille, Rose, Ross (Champlain), Ross (Dundas),

[Mr. Rymal (Wentworth South).]

Ryan (Montreal), Shanly, Simard, Stephenson, Street, Tilley, Walsh, Webb, White, Willson, Workman.

The Bill was then read a third time and passed.

#### TRUST AND LOAN CO. OF U.C.

On motion of **Sir John A. Macdonald**, the order for the third reading of the Bill relating to the Trust & Loan Co. U.C. was discharged.

#### DUTIES ON SPIRITS AND PETROLEUM

**Hon. Mr. Howland** moved the third reading of the Bill to increase the duty on spirits, and to provide for the inspection thereof.

**Mr. O'Connor** moved in amendment to the effect that all spirits made after the 29th day of April, 1868 (the day on which the change in the excise was announced) should be exempted from the increased excise duty.

The motion was seconded by Dr. Parker.

**Mr. O'Connor** in support of his motion said that when his honourable friend the Minister of Finance, in the speech which he made in introducing the change in the tariff of Customs and Excise, was reported and generally understood to say that this excise duty of three cents on the gallon, spirits, was intended to be in lieu of the duty of ten cents per bushel heretofore charged on corn imported into this country. The present Bill proposed to charge that increased excise duty on the stock then on hand and in bond. The effect was that in respect of such stock then in bond, the distillers would be compelled to pay double duty. This was wrong in principle. The manufacturers had gone on with their business, and paid the duties under the law as it then stood; and upon the faith of the law. It was contrary to sound principle. Besides this the practice of suddenly applying changes like this to stock in bond under the circumstances of the present case, gave occasion and opportunity for unfair and improper practices upon all such occasions. It is well known that some person invariably got possession of the secret intention—knowledge of the intended change—and profited by it to the detriment of others. In the present instance, a member of a large distilling firm at Toronto came to Ottawa a few days before the change was announced in the House, stayed a few hours, returned, and that firm immediately before the change was announced, had taken their whole stock out of



bond and saved thereby \$14,000. He referred to this as a fact of public notoriety to illustrate the opinion he had expressed against the sudden application of such change.

**Hon. Mr. Howland** contended that the principle of the amendment was wrong. It was not usual to exempt stocks in bond on such changes. He objected to the terms of the amendment. He denied emphatically that he had ever given information to any person which could give improper foreknowledge of any kind, or unfair advantage. He did not believe either that any officer of his department had done so. He concluded by assuring the honourable member for Essex, that he held his opinions in perfect contempt.

**Mr. O'Connor** replied stating that he did not think the honourable Minister of Inland Revenue had a right to speak of honourable gentlemen's statements as contemptible, and the honourable gentleman ought to know him well enough to know that he never indulged in insinuations. The few remarks that he had made were upon positive information, and he could assure the Minister of Inland Revenue that he (if he took the trouble to investigate the facts) would find that his statement was correct. He had determined before coming down to that House to do his duty towards his constituents, and he was still determined to do so, notwithstanding the taunt of the Hon. Minister of Inland Revenue.

**Hon. Mr. Holton** thought a Cabinet Minister ought to be incapable of allowing advantages to particular parties.

**Mr. Street** said that if the measure was carried in its present shape, it would inflict serious loss as well as injustice upon many people.

**Mr. O'Connor** said he considered he had made out a good case. The principle he had enunciated was correct and had not been displaced by any argument which he had heard. He thought the Government ought to accede to the amendment. He was willing to modify it so as fairly to meet the point, if required. With regard to the term which the Hon. Minister of Excise (Mr. Howland) had used in reference to himself (the member for Essex) to the effect that he held his opinions in contempt, he (Mr. O'Connor) would say that he cared little whether that honourable gentleman held his (Mr. O'Connor's) opinions or himself in contempt or not. He (Mr. O'Connor) would, however, suggest to that honourable gentleman that it might be well for him to

consider whether it was consistent with good breeding, whether it was gentlemanly, to express contempt for the opinions of his equals. He (Mr. O'Connor) had been taught and had acted always on the principle that a gentleman should not express contempt for the opinions of any other gentleman. Such a course was discourteous—ungentlemanly and reprehensible. He (Mr. O'Connor) would not follow the example of the honourable gentleman—he was not in the habit of following bad examples. He would not, therefore, retort on that honourable gentleman, and say that he (Mr. O'Connor) held his opinions in contempt. On the contrary, he respected that honourable gentleman's opinions, as he did the opinions of every honourable member of the House, as those of his equals. The honourable gentleman might as well also consider, whether it became his position as a Minister of the Crown to use the language he had. With these remarks, he would now leave the honourable gentleman to his reflections. He would merely add that he (Mr. O'Connor) had made no attack on the honourable gentleman or on the officers of his department.

**Dr. Parker** concurred with the member for Welland. This was not a new tax, but was put in in order to meet a remission of customs duty. He thought that all spirits in bond on the 29th of April, manufactured from corn, ought to have a remission of these 3¢ per gallon.

**Mr. Gibbs** did not see the necessity for the proposed exception.

**Hon. Mr. Tilley** said that a line had to be drawn in the matter. The Government has fixed the 29th of April as the limit and he thought the only way was to adhere to their determination.

**Mr. Mackenzie** said there were difficulties in the way of taking any other course than that adopted by the Government. Besides, the proposed change was for the benefit of the manufacturer and not the consumer. (Laughter).

**Hon. Mr. Anglin** called attention to a case of injustice under the new tariff. In St. John, before the telegram from the Minister of Customs arrived increasing the duty, all the merchants took their wines out of bond except one merchant who did not arrive till some half an hour after the telegram, and consequently had to pay a very much larger amount of duty than any of his rivals in business.

**Hon. Mr. Tilley** maintained that after the receipt of the telegram all the wines were liable to the new duty and no injustice had been done.

**Hon. Col. Gray** thought it a case of injustice that this one merchant alone, a most respectable man, should be made to pay a duty from which all others in Nova Scotia and New Brunswick had escaped.

**Hon. Mr. Anglin** said that the new tariff was not in operation in Halifax for a week after it was put in force in New Brunswick.

**Hon. Mr. Tilley** said that the tariff had been sent off to Halifax in due time, and though every inquiry was made, the Government had not been able to discover how it was the copies of the tariff had failed to reach the Customs Collectors there.

**Hon. Mr. Galt** said that if there had been any injustice it had been suffered by the Government, inasmuch as nearly all the merchants had managed to escape the duty. Under the new tariff, the merchant alluded to absolutely paid less than he would have done under the previous tariff in New Brunswick. Others may have got the advantage of him, but he certainly had not much to complain of, as he had taken his wines out at less than the previous duty.

**Hon. Mr. Read** said it was very evident from the remarks that day, that there was very little sympathy with a certain class of manufacturers in the country. He asked no favour for them, but desired British fair play. By the present Bill a great hardship would be entailed; he hoped the Minister of Inland Revenue would allow it to be altered as proposed in the amendment.

The amendment was lost on a division, and the Bill was read a third time and passed.

#### WAYS AND MEANS

On motion of **Hon. Mr. Rose** the House went into Committee of Ways and Means.

**Hon. Mr. Anglin** complained that while the Bank of Montreal charged large interest on the \$2,500,000 due to it by Government, it allowed no interest on the large sum deposited with it at the credit of the Government.

**Hon. Mr. Rose**, in reply, insisted that the sound principle was that no Minister of Finance should allow any Bank to speculate with the public funds, and the Banks could not pay interest on Government balances unless they were allowed to speculate with

the public money. As regarded the amount it would be extremely unwise to allow the balances to run down so that Government could not, without borrowing, meet the subsidies, railway obligations, etc.

**Hon. Mr. Anglin** said he presumed the bank must utilize the Government balances, and he thought they should pay something in the shape of interest.

**Hon. Mr. Holton** said the *gravamen* of complaint was that we had no balances at all in the Bank of Montreal, while we were large borrowers from that institution. We borrowed \$2,500,000 at 7 per cent, and if we left \$1,800,000 or \$1,500,000 on permanent deposit there without interest, the result was that while we pretended to be borrowing at 7 per cent, we were paying actually from 12 to 13 per cent for the accommodation we received. He wished to know what was the present position of the proceeds of the Dominion stock. Had it been actually paid out to meet the requirements of the Government, or did it or any considerable portion of it remain with the Bank of Montreal? If the balance in the Bank of Montreal should be equal to the amount of Dominion stock sold, the inference would be irresistible that we were paying interest on a loan that we had not yet the advantage of.

**Hon. Mr. Rose**, in reply, made some observations, a considerable portion of which were inaudible in the gallery. He said that at this season of the year it was necessary for the Government to keep large balances, as about \$6,000,000 had to be paid out between this and the 1st of July. There was an inconvenience at present in the leading engagements of the Government maturing at two points of the year. This they were endeavouring to remedy. The interest on the Dominion stock would be payable in March and October. It was necessary to hold on to a large portion of the proceeds of the Dominion stock until the obligations he referred to were met. The Dominion stock had been paid on the day it was subscribed, and within thirty-six hours afterwards a bill of 150,000 pounds sterling was paid out of it.

**Hon. Mr. Holton**—What was the state of the Government account at that date?

**Hon. Mr. Rose**—It was very low.

**Hon. Mr. Holton** said he had gathered two points from the honourable gentleman's remarks; first, a verification of the statement he

(Mr. Holton) had ventured to make on a previous occasion, that a very large proportion of the Dominion stock was issued to the Bank of Montreal; and secondly, that the proceeds thereof, or a very large portion of them, were still lying in the bank in order to meet our obligations. On this amount sold to the Bank of Montreal, and the proceeds of which were lying there without interest; we had been paying interest since March. It must be obvious that a transaction thus conducted could not be regarded as a sale of stock at par. It was a sale at a discount, greater or less, according to the advantages accruing to the purchaser by the deposition of the money in his own hands.

**Dr. Parker** remarked that the fact that under the agreement between the Government and the Bank of Montreal, the former were bound to leave a large margin of deposit beyond which they could not draw, showed that the bank could use the Government moneys for its own purposes.

The Committee reported the following resolutions:—That towards making good the supply granted to Her Majesty for the year ending the 30th day of June, 1868, the sum of seven millions, five hundred and two thousand and nine hundred and twenty-four dollars, and four cents be granted out of the Consolidated Revenue Fund of Canada; that toward making good the supply granted to Her Majesty for the year ending the 30th June, 1869, the sum of seven million, nine hundred and one thousand eight hundred and fifty-five dollars and one cent, be granted out of the Consolidated Revenue Fund of Canada.

#### PERJURY

On motion of **Sir J. A. Macdonald** the Bill respecting perjury was read a second time and referred to Committee of the Whole.

The Committee reported the Bill, and it was ordered for third reading at next sitting of the House.

#### PROROGATION

**Sir J. A. Macdonald** announced that he hoped the state of the public business would allow the House to be prorogued on Wednesday.

The House at two adjourned till 4 o'clock.

#### AFTERNOON SITTING

The Speaker took the Chair at 4.

#### THE NORTH-WEST TERRITORY

A message was brought down from His Excellency transmitting a despatch from the Duke of Buckingham, Secretary of State for the Colonies, in reply to the address of both Houses, asking the annexation to Canada of Rupert's Land and the North-West Territory. The despatch, which was of some length, stated that legislation by the Imperial Parliament would be necessary before the territory in question could be transferred to Canada, and that the Imperial Government were prepared to introduce a Bill for that purpose, regard being had to the rights of the Hudson's Bay Company.

**Hon. Mr. Holton** asked if Government would bring this matter before the House before the session closed.

**Sir J. A. Macdonald** said the honourable gentleman's question might stand as a notice.

**Hon. Mr. Holton** said the subject could not be allowed to pass in that way. This was a reply from Her Majesty to the most formal proceeding which it was possible by this Parliament to take—a proceeding taken on the assurance of honourable gentlemen opposite that there existed grave reasons of State, which could not be decided, why the Address to which this was an answer, should pass through the House with the greatest celerity. And what had happened? They had been exposed to a great humiliation—a humiliation such as no British Parliament had ever been subjected to before. They were told, in fact, that they had acted ignorantly in this matter. He maintained that it was the duty of the Government at the earliest moment to communicate to Parliament the course they intended to ask Parliament to take in vindication of their own dignity, in view of the humiliation to which it had been exposed.

**Sir J. A. Macdonald** said he looked upon this not as a humiliation but a triumph. The action of this Parliament had secured action by the Imperial Government, which they had steadily refused for several years. The Imperial Government, forced to it by that Address, had now undertaken to negotiate for surrender of this territory by the Hudson's Bay Company. The despatch was now on the table, and the member for Chateaugay in

the exercise of his privileges as a member of Parliament might take such steps with regard to it as he thought proper. The Government, on their part, would take such steps as they thought befitting to them as a Government.

**Hon. Mr. Dorion** having risen,

**Mr. Speaker** said there was no question before the Chair.

**Hon. Mr. Dorion** said, when a matter of this importance was before the House, he had never heard any Government object to its discussion. No more important despatch had ever been sent to a colonial Parliament than this one, and he wished to know if the Government objected to the discussion going on.

**Sir J. A. Macdonald** said he did not object to the discussion, but he would remark that it would be a discussion to no purpose until these papers were printed, so as to be fully in possession of members. It was for the House to say whether they should have a profitless or profitable discussion.

**Hon. Mr. Dorion** went on to say that the course urged upon the House by the Government in the first part of the session, was this—"Let us get possession of that Territory and then the Hudson's Bay Company may take what course they like in order to make good any claims they may have". An address founded on that policy was sent home. The Colonial Secretary communicated to the Hudson's Bay Company the wishes of the Colonial Legislature, and their answer was—"We have no faith in the Colonial Legislature that justice will be done to us. The only object of the Colonial Government is to take possession of our property and put us in the position of seeking our right before tribunals they themselves may constitute." And to that, the Colonial Secretary replied—"You are right: we will not grant what the Canadian Government want. We will bring an Act before the Imperial Parliament, but shall take care that in the first place your rights shall be ascertained."

**Hon. Mr. Holton**—Which was the whole point of the controversy.

**Hon. Mr. Dorion**—Yes; that was the whole point of it. His honourable friend from Chateauguay had moved that the rights of the Hudson's Bay Company should be ascertained first, and then they should enter into communication with the British Government with a view to the transfer of the territory.

[Sir J. A. Macdonald (Kingston).]

The speech of the leader of the Government, quoted in the correspondence, gave the contrary view on which the Address was based, and the reply was a direct slap in the face. No independent country would ever submit to such a slap from another country. From this despatch it would appear that we were as far as ever from getting control of this Hudson's Bay Territory.

**Hon. Mr. Johnson** contended that the rights of the Hudson's Bay Company were as much entitled to respect as would be the rights of an individual who held property under a grant from the Crown.

**Mr. Mackenzie** was not at all clear that the reply from the Imperial Government should be considered conclusive as to there having been an error in our proceedings in the early part of the session. The only regret he felt was that they had been misled—he would say, deceived—by the course taken by members of the Government. He was certainly led to understand by their statements during the last election, and also in the debate in the early part of the session, that a certain understanding had been arrived at with the Imperial Government; and that there could be no doubt, from the communications, verbal and otherwise, which had taken place, that the result of our passing this address would be the immediate cession of the territory. He did not, however, at all regret his own action. He had looked at the question from an entirely different point of view from that of his honourable friend, the member for Hoche-laga, who had argued against the acquisition of the territory under any circumstances. The member for Chateauguay had not taken that ground, although it was not within his recollection that that honourable gentleman had insisted very strongly on the advantages of acquiring the territory. The honourable gentleman's course was somewhat of a negative one. (Laughter). He did not feel inclined to discuss to-day the course taken by the Colonial Office, as he could not bear in his mind the precise terms of the dispatch which had been read; but there was one point to which he would call the attention of the House—that, as regarded the only part of the Territory really valuable to us, the Hudson's Bay Company did not attempt to prevent us taking possession of it. His Grace suggested we might be indifferent about obtaining possession of this fertile South-West portion of the Territory if the Hudson's Bay Company still held the intervening Territory. As to that, he would say we would have enough

of the intervening Territory to enable us to find our way there without much regard to the Hudson's Bay Company. (Hear, hear). He presumed it would be the desire of the House to have these documents printed as speedily as possible, in advance of the possible—he might say, certain—discussion which might take place upon them; and he supposed he would meet the wishes of the House, if he sent them to the printer without waiting for a formal order.

**Dr. Parker** said the Minister of Justice had spoken of the action of the Imperial Government as a triumph for the Government. The honourable gentleman must have done so in a Hibernian sense, because to his (Dr. Parker's) mind, the despatch negatived the whole of the promises held out by our Government at the time the Address was passing the House. It was quite evident that the Bill to be introduced into the Imperial Parliament would guard the rights of the Hudson's Bay Company in a very different way from what we had been led to believe.

The matter then dropped.

#### C. B. AND K. C. B.

**Hon. Mr. Chauveau** presented the report from the Select Committee, to whom were referred the papers and correspondence with regard to the honours conferred by Her Majesty on members of this House. The Committee, after reciting at some length the facts connected with the conferring of the honours in question, and the subsequent correspondence, stated their opinion that the notice in the London GAZETTE of 17th December was open to serious misconstruction, inasmuch as it did not state that the names of Messrs. Cartier and Galt were left out at their own request. They said the House and country had since learned with satisfaction that Her Majesty had been pleased to raise Mr. Cartier to the dignity of a baronet of the United Kingdom. This gracious act would remove any misconstruction of the notice of December, so far as Mr. Cartier was concerned; but the Committee could not but feel that it rendered the position of Mr. Galt still more subject to misconstruction. They therefore recommended that a humble address be presented to Her Majesty, setting forth that the notification in the London GAZETTE of the 17th December was liable to serious misconception in regard to Mr. Galt, and praying Her Majesty to cause such remedy to be applied as may remove the grievance justly complained of by him.

**Hon. Mr. Chauveau**, seconded by **Sir John A. Macdonald**, moved that the report be concurred in.

**Mr. Bodwell** could not allow the motion to pass without saying that it was unworthy for Parliament to go down on its knees, as here proposed, in order to ask for further honours. (Kicking of desks).

**Mr. Mackenzie** rose and said that there was one particular desk from which these noises always proceed when honourable gentlemen on the Opposition side rose to speak. If that conduct was persisted in, he would name the honourable gentleman who was responsible for the annoyance.

**Hon. Mr. Holton** said that there was no proposition to go to Her Majesty petitioning for further honours. Such conduct would be beneath the dignity of the House, and was not contemplated by the Committee.

**Hon. J. S. Macdonald** supported the action of the Committee. All that was sought to be accomplished was that simple justice should be accorded the honourable member for Sherbrooke; and if the House were going to take such action and confer a compliment, let it be unanimous.

**Mr. Mackenzie** was sure the remark of the member for South Oxford arose from a misunderstanding. Honourable gentlemen on all sides of the House were no doubt desirous that simple justice should be done to the distinguished member for Sherbrooke in this matter.

**Mr. Jones** thought the House ought not to have taken up this subject at all. They had no business to interfere in the matter. He agreed with the member for South Oxford, and would vote against the Report.

**Mr. Bodwell** would not change his position on this question. The recommendation of the Committee which he read was such that he felt the House would be humiliating itself by taking the course proposed, and he objected to it.

The report was then adopted, and an address to Her Majesty founded thereon was introduced and carried.

#### EVENING SITTING

After recess, the following Bills were read a second time, passed through Committee, read a third time and passed:—

Bill to incorporate the Canadian Underwriters' Association, as amended by the Committee on Banking and Commerce—A. Morrison. Bill to amend the Acts relating to the Canada West Farmers' Mutual and Stock Insurance Company, and to change the name to "Canada Farmers' Mutual Insurance Company," as amended by the Committee on Banking and Commerce; Bill to incorporate the Stratford Board of Trade, as amended by the Committee on Banking and Commerce—Mr. Redford.

#### FORTIFICATIONS

**Sir G. E. Cartier** moved the third reading of the fortification Bill.

**Mr. Mackenzie** said it was clear that if there was one thing to be avoided by the House more than another, it was placing in the power of the Government a large sum of money voted in one year to be expended over several years. The true plan was to vote the amount necessary for each year's operation as it was wanted. He would, therefore, move an amendment, seconded by **Hon. Mr. Holton**—"That the Bill be not now read a third time, but be referred back forthwith to Committee of the Whole House, with instructions to amend the same by providing that no sum shall be expended in such works until a separate estimate for each work to be constructed shall be submitted to Parliament; and that the amount to be spent each year shall be voted from time to time."

**Sir G. E. Cartier** said that with regard to the expenditure of the money, the last clause of the Bill provided that a detailed account of all the money raised under the authority of this Act shall be laid before Parliament during the first 15 days after the assembling of Parliament. (Hear, and laughter.) If the Government spent too much money, then all that was necessary was to bring down a motion of want of confidence, and for honourable gentleman opposite to take charge of the expenditure.

**Hon. Mr. Galt**—The rest of it. (Loud laughter).

**Hon. Mr. Holton** ridiculed the Government proposition. If honourable gentlemen opposite allowed themselves to be caught with that sort of chaff, he was mistaken in them. (laughter).

The House then divided on the amendment, which was lost—**Yeas, 49; Nays, 90.**

The Bill was read a third time on a division and passed.

#### MILITIA BILL

**Sir G. E. Cartier** moved the reception of the Report of Committee of the Whole on the Bill respecting the militia and defence of the Dominion of Canada.

**Mr. Jones (Halifax)** moved an amendment, excepting firemen from service.

Lost on a division.

**Mr. Pope**, seconded by **Hon. Mr. Galt**, moved that the report be not received, but be referred back, with instructions to consider the following resolutions:—1st. That it is inexpedient and unjust for the militia staff officers to receive large sums in payment, while the Battalion and Co. officers on whom the expense and labour of keeping up the volunteers devolved, are most inadequately paid for the labour and expense. 2nd. That no money be paid the staff officers for their services until provision be made for the payment of all the officers of the force, on a just and equitable basis, according to their respective duties and rank.

**Sir G. E. Cartier** defended the Government proposition, and maintained that inasmuch as volunteer officers were paid under the Bill, whereas they were unpaid under the old measure, they would be better off.

**Messrs. Galt and Pope** maintained that it would be better to pay the officers nothing at all than put them on a par with the privates. That course would be subversive of all military subordination, and would do more harm than good.

**Hon. J. H. Cameron** took a similar view, but could not vote for the amendment, as it went further, and stopped the pay of the staff officers.

**Mr. Pope** only desired to see that the volunteer officers should be properly paid, and would withdraw his amendment if the Government would postpone their Bill till to-morrow, when, perhaps, a compromise might be arrived at.

**Hon. Sandfield Macdonald** said he commiserated the Minister of Militia on account of the difficulties he experienced from the insubordination of his supporters, who were urging a resolution which set aside all the calculations of his honourable friend, and which if successful would result in the failure of his Bill. He was disposed on this occasion to stand by the honourable gentleman. To give effect to these resolutions would require

a larger appropriation for the service. He presumed the Minister of Militia actuated by economical considerations, had settled what sum could be spared for the Militia and Volunteers, and it was not fair in his friends to attempt to take the matter out of his hands, and upset his whole calculations in this way. He agreed, however, that there should be a great reduction in the expenses of the staff. There were a great many supernumeraries who ought to be dispensed with.

**Hon. Mr. Galt** moved in amendment to Mr. Pope's amendment, that the Bill be referred back to Committee of the Whole, for the purpose of so adjusting the expenditure for militia purposes that the officers of the service, militia and volunteers, when employed as such, may receive such allowances as shall distinguish between their respective ranks and that of the men.

After some discussion as to how the sense of the House could be taken on these amendments without a message from the Crown recommending an increased appropriation—

**Sir John A. Macdonald** said he would put it, then, in this way. The Government desired to know what was the opinion of the House on the subject of granting an additional sum for the purpose of paying the volunteer officers and active service officers of the 40,000 men proposed to be raised, according to their several ranks and positions; and in order to do so he moved the adjournment of the debate, and the Government would consider that every member who voted against the adjournment expressed by such vote the opinion that Government should bring down this additional sum by message.

**Mr. Mackenzie** said he should vote for the adjournment. He did not want any additional

sum to be appointed. He believed the appropriation was quite sufficient if properly applied, and if useless expenses were cut off, to secure the object aimed at by the member for Compton. He did not want Government by this trick to get the House to sanction their diving deeper into the public purse.

The House then divided on the motion for adjournment of the debate, which was carried—Yeas, 106; Nays, 32.

#### WAYS AND MEANS

On motion of **Hon. Mr. Rose**, the House again went into Committee on Ways and Means—Col. Gray in the Chair.

The Committee rose and reported, and the report was received.

#### RAILWAYS

On motion of **Sir G. E. Cartier**, the House went into Committee on the Act respecting Railways. The Committee reported the Bill; the report was received, and the Bill was ordered for a third reading to-morrow.

#### FISHERIES

On motion of **Sir J. A. Macdonald**, the Bill for the regulation of fishing and protection of fisheries was read a second time, passed through Committee, reported and received.

#### SALARIES

The Bill respecting the Governor-General's civil list and salaries of certain public functionaries was read a second time, passed through Committee, and ordered for third reading to-morrow.

The House adjourned at 1:20 a.m.





# HOUSE OF COMMONS

Saturday, May 16, 1868

## MILITIA BILL

The Speaker took the Chair at 11 a.m.

### DESPATCH FROM THE COLONIAL OFFICE ON THE ASSASSINATION

A message was received from His Excellency transmitting the following despatch from the Secretary of State for the Colonies:—

DOWNING STREET

28th April, 1868

MY LORD,—

I have the honour to inform you that having received with pain and regret your despatch of the 9th instant, informing me of the assassination of Mr. D'Arcy McGee, in the city of Ottawa, I felt it my duty to communicate the lamentable event to Her Majesty, feeling certain that Her Majesty would sincerely deplore the crime which had deprived Canada, by the hand of an assassin, of the able and devoted service of Mr. McGee. I have received Her Majesty's command to request you to convey to the family of Mrs. McGee the expression of Her Majesty's deep sympathy with them in the loss which they have sustained through the atrocious crime.

I have, etc.

(Signed) BUCKINGHAM & CHANDOS

To Viscount Monck, etc.

### INSURANCE COMPANIES

On motion of Hon. Mr. Rose, the House resolved to go into Committee on Monday next, on the following resolution:—That it is expedient to provide that Insurance Companies doing business in Canada shall be licensed for that purpose, and shall give security for the payment of losses to be incurred by them in Canada, by the deposit of a sufficient amount of money in the hands of the Receiver-General, who shall be authorized to invest such money in Dominion stock, creating stock for that purpose if necessary; such stock being liable to be disposed of to meet any claims of the holders of policies of the company depositing the money.

### NORTHERN RAILWAY

On motion of Hon. Mr. Howland, the House went into Committee to consider resolutions respecting the Northern Railway of Canada.

The resolutions were reported and concurred in.

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The House resumed the adjourned debate on motion of Sir G. E. Cartier, for receiving the report of the Committee of the Whole on the Militia Bill and the amendments by Messrs. Pope and Galt thereto.

The Speaker ruled Mr. Galt's amendment out of order, as it involved an additional appropriation, which could not be made without a message from the Crown.

Mr. Pope said he should not press his motion after the division last night, which seemed to express the opinion of the House that the officers should get no more pay, though he did not believe the vote was fairly taken, or that this was the real expression of the House. Still, the vote was taken; and he should therefore withdraw his motion.

Hon. Mr. Holton said the honourable gentleman was mistaken in assuming that the vote of the House last night was on the merits of his motion. He (Mr. Holton) voted for the adjournment, in order to give him an opportunity of voting for this amendment. He would not consent to the amendment being withdrawn.

Sir John A. Macdonald said he would then take the point of order, which the Minister of Militia said last night he would not take advantage of, in order to get the sense of the House on the question. By the vote last night, the House expressed its opinion that the volunteer officers should not be paid more, and the measure of Government should not be interfered with. He therefore raised two points of order against the amendment. 1st. That the House had concurred in the resolutions, making a specific appropriation for the salaries of the staff, and could not now repeal that concurrence. 2nd. That it was out of order, because it instructed the Committee to do a thing which it could do without such instruction.

Hon. Mr. Holton said the point of order having been waived last night, he did not think it could now be insisted on.

**Sir J. A. Macdonald** said it had merely been waived to obtain an expression of opinion from the House which had now been given.

The Speaker ruled the motion out of order.

**Mr. Bowell** then moved an amendment that it be an instruction to the Committee to amend the Bill by reducing the salary of the Adjutant-General from \$3,600 to \$3,000—the amount under the existing law—and the salary of the Deputy Adjutant-General from \$1,800 to \$1,200. The speaker said this amendment might be open to the same objection as the other one—that it went back on the concurrence of the House—already given to the resolutions fixing these salaries.

**Hon. Mr. Holton** contended that it was open to the House at any stage of a Bill to reduce the charges upon the people.

The Speaker decided that the amendment was in order.

**Sir G. E. Cartier** contended that \$1,800 for the Deputy Adjutant-General, \$1,200 for the Paymaster, and \$1,000 for a clerk and a messenger—\$4,000 in all—was not too great a sum for managing the militia affairs of the Province of Nova Scotia, which made one Military District. There being nine districts the whole expense was \$36,000, which he argued was not excessive, \$1,800 was open to the charge of being too small rather than too large a remuneration for an officer having control of the militia affairs of a military district. There was an increase in the salaries at headquarters, Col. Macdougall receiving \$3,600, and Col. Walker Powell \$2,600. Formerly the Adjutant-General received \$3,000, and the two deputies for Upper and Lower Canada \$2,240 each, so that there was a considerable reduction in the salaries at headquarters.

**Hon. J. Sandfield Macdonald** gave figures to show how largely his successors in the Government had increased the expenses of the staff. In 1864, the year he left office, the expenses of the staff, including their travelling expenses, amounted to \$22,240. In 1867 in carrying out the same system and under the same law, they had increased to \$47,800, an increase of over \$25,000. Under this Bill he was glad to see there was to be some reduction although a larger area was included by the addition of the Lower Provinces. He was glad to see in it a tendency in the proper direction, and he did not think the organization proposed to be made was an unreasona-

able one. Of course, such measures were experimental, and the result of a year's experience might be to show the necessity of altering the present measure in some respects.

**Sir J. A. Macdonald** in reply to the member for Cornwall, contended that the increased expenses from 1864 to 1867 were justified by the increased efficiency given to the administration of militia affairs of the country, which had been rendered necessary by the more than ordinary demand made upon the services of the volunteers during that period. So long as these Fenian invasions were threatened, however contemptible they might be, we must be prepared for them, and a special system or organization involving more or less expense must be kept up which would not be necessary under ordinary circumstances.

**Mr. Bodwell** maintained that all he desired to do was to place the officers in question in the same position in which they were.

**Hon. Mr. Fisher** would vote for the reduction of the salary of the Adjutant-General; but the salaries of the other officers were, he believed, little enough.

The House then divided—Yeas 61; Nays 60. (Cheers).

**Yeas**—Ault, Bechard, Bertrand, Bodwell, Bowell, Bowman, Brown, Cheval, Cimon, Connell, Coupal, Daoust, Dobbie, Drew, Dufresne, Fortier, Gaudet, Geoffrion, Godin, Hagar, Holton, Jones (Halifax), Jones (Leeds), Kempt, Lapum, Little, Macfarlane, Magill, McCallum, McCarthy, McMonies, Metcalfe, Mills, Morison (Victoria), Munroe, Oliver, Paquet, Parker, Perry, Pinsonneault, Pouliot, Power, Pozer, Rankin, Ray, Redford, Renaud, Ross (Dundas), Ross (P. E.), Ryan (Montreal), Savary, Scatcherd, Snider, Stirton, Thompson (Haldimand), Thompson (Ontario), Tremblay, Wallace, Wells, Wilson, Young—61.

**Nays**—Archambeault, Beaty, Bellerose, Benoit, Blanchet, Bolton, Bown, Brousseau, Burton, Caldwell, Cameron (Peel), Campbell, Carling, Caron, Cartier, Cartwright, Casault, Cayley, Chamberlin, Chauveau, Desaulnier, Dunkin, Fisher, Fortier, Gaucher, Gendron, Gray, Grover, Howland, Huot, Irvine, Jackson, Keeler, Kirkpatrick, Langevin, Langlois, Lawson, Macdonald (Cornwall), McDonald (Glengarry), Macdonald (Sir John), McDonald (Middlesex), Masson, (Soulanges), Masson (Terrebonne), McDougall, McGreevey, McMillan, Merrit, Morrison (Niagara), O'Con-

nor, Robitaille, Rose, Ross (Champlain), Simard, Simpson, Stephenson, Street, Tilley, Walsh, White, Wood—60.

In Committee, **Sir G. E. Cartier**, said that by this vote this House, and particularly the members for Lower Canada, had given the greatest blow to the efficiency of the measure which they could possibly give. (No, no). Honourable gentlemen would allow him to speak. He knew what he was saying. The intention of this measure was to appoint three District Adjutants-General in Lower Canada—two of whom were to be French, and one English. Now what was the result of the vote given by those French members who were always complaining? It was this, the reduction of the salaries of the District Deputy Adjutant-General from \$1,800 to \$1,200. The Adjutant-General would receive his salary of \$3,000, and Col. Powell \$2,600, while the French officers only receive \$1,200 each. ("Oh! oh!") Let those members from Ontario and the Lower Provinces who were desirous of reducing the salaries of those important officers take the responsibility of their action. But he would call on the members from Lower Canada to consider well their vote. (Hear, and cries of "Oh! oh!") The Committee would have to rise, and when the question of concurrence came on, there would be an opportunity given those gentlemen hailing from Quebec to set themselves right. ("Oh!")

The Bill was then altered in Committee in accordance with the vote of the House.

On the motion that the Committee rise and report the Bill as amended,

**Mr. Jones (Halifax)**, regretted extremely that the Minister of Militia should have made such an appeal to his followers. The Bill affected the Maritime Provinces as well as Quebec, and therefore such appeals should not be made.

**Mr. Bowell** disavowed in the most distinct manner any desire to influence any man in this matter through his nationality. It was a great misfortune on two or three occasions during the present session when the Minister of Militia felt himself hard pressed that he should have appealed to the national cry and sought to rouse a feeling which he, of all others, ought to be the first to discountenance. (Hear, hear).

**Hon. Mr. Holton** said it was more than a matter of regret that a gentleman occupying the high position of the Minister of Militia should on an occasion of this kind, as on

previous occasions, make such emphatic appeals to the national prejudices of the House. (Hear). Now, if ever the present new and complicated system of Government were to succeed, it would be by keeping down such appeals; it would be by those in high places and exercising an influence over their countrymen, frowning down such attempts to unworthily influence honourable members. (Hear). And if instead of using their influence to keep out of the halls of the Legislature considerations of this kind gentleman occupying the prominent position of the Minister of Militia turned on every occasion to appeal to prejudices of race and origin in the manner he had done that day, the present scheme of Government would not be worth three years purchase. He (Mr. Holton) did hope this was the last occasion in which he would be compelled to witness the painful spectacle that day presented on the trumpery question before the House, and he knew that in that feeling he was joined by the gentlemen in the opposition side of the House with whom he had the pride and pleasure to act.

**Sir G. E. Cartier** was surprised to hear such statements from a gentleman claiming to be the leader of the Opposition. The idea of that honourable member rising and administering such a rebuke to him (Mr. Cartier) because he had appealed to his fellow citizens hailing from the Province of Quebec, and denouncing him because he had explained the real bearing of the vote to his followers! What followers had that honourable gentleman to advise or enlighten? No member in the House occupied a more mortifying position than the member for Chateauguay, and yet he must lecture his opponents. He (Mr. Cartier) had moved in this matter because he desired that every man, no matter what his nationality, should have no fault to find hereafter with this measure. He did not want any person to be able to say that their nationality or religion had been slighted in the organization; yet for doing this he had been attacked by the member for Chateauguay, and his measure called a trumpery affair. The resolution which had been carried was one which certainly ought not to be sustained as it stood. Under it the salary of the Adjutant-General would be reduced, while that of the Deputy Adjutant-General was not touched. He (Mr. Cartier) had no fault to find with Colonel Powell, but merely desired to show the position in which the resolution placed matters.

**Hon. Mr. Holton** had only a word or two to say in reply. In the first place, the Minister of

Militia was under a mistake in supposing that the principle of the Bill was under discussion in the Committee—as to his (Mr. Holton's) assuming leadership in the House, he would say he made no pretensions to such leadership. In the few observations he had made, he had merely spoken of the gentlemen on his side of the House with whom he had the pride and pleasure to act—(hear, hear) and by virtue of his position as a member of the House, he held that the course pursued by the Minister of Militia was ill considered, unwise, and unpatriotic. (Hear, hear).

**Mr. D. A. McDonald** also thought that the course of the Minister of Militia was unwarranted, because the salary of two of his countrymen were reduced he appeals to the national feelings of his countrymen to reverse that decision. As to the attempt to belittle the member for Chateauguay, it had been made before by members of the Ministry, but would not succeed. If there was one gentleman more than another in that House who discharged his duty to the country faithfully and assiduously, it was that honourable gentleman. He was one of the foremost in the House, and honourable gentlemen opposite would gain nothing by attacking him.

**Hon. Mr. Chauveau** thought the member for Chateauguay had taken an unfair advantage of the Minister of Militia in the matter before the House. It was all very well to say pay no attention to national or religious distinctions, and claim that they should be ignored. But these were social and political facts, and could not be ignored, and it was noticeable that the very persons who professed to ignore them were those ignoring them the least. That the Minister of Militia occupied the same position he always held was clear. In Quebec he took a similar stand in favour of the inhabitants of British origin (hear)—and had been sustained by his countrymen.

**Hon. Mr. Connell** maintained that if the course advocated by the Minister of Militia on this measure were followed up, the results could not but be most disastrous to the welfare of the Dominion.

**Mr. Mackenzie** was surprised that a Minister of the Crown should have taken the position of the Minister of Militia. There might be some justification for the honourable gentleman's course if he were prepared to show that the motion discriminated against Lower Canada. That motion had been carried

(Mr. Holton (Chateauguay).)

in his (Mr. Mackenzie's) absence—a fact which he regretted; but it was clear to him it did not in the least justify the action of the Minister of Militia in making a sectional appeal to the House. He (Mr. Mackenzie) was free to admit the justice of the remarks of the member for Quebec as to the liberality of the French Canadian politicians in Lower Canada. He was also quite free to admit the desirability of having a fair proportion of the minority of the Dominion in all branches of the public service. It was both desirable and wise that the minority should always be treated with generosity; but it was contemptible for men occupying high public positions to make the unwarranted appeal to national prejudice which had been made, and reply to remarks bearing purely on the merits of the case by a gross personal attack such as that made on the member for Chateauguay—an attack as unmerited as it was uncalled for. (Cheers).

**Hon. Mr. Dunkin** said that in this matter the scantiest justice had been done the Minister of Militia, for of all men the man liked by the English in Lower Canada, as well if not better than any other, was the Minister of Militia. (Hear, hear). In the present instance the honourable gentleman merely told his countrymen that they had in the dark passed a vote which they would probably regret, as it bore more hardly on them than the other section of the Dominion.

**Dr. Parker** deprecated strongly the attempt of the Minister of Militia to rouse national sectional feeling in order to reverse the decision of the House.

**Mr. Jones (Leeds)** regretted extremely the debate had taken this sectional turn.

The Committee then rose and reported the Bill as amended.

**Sir G. E. Cartier** said that in order to test fairly the feeling of the House he would move that the House do not now concur in the report, but that it be referred back to the Committee with instructions to restore the salaries to what they were in the Bill originally. If that failed he should then move that Col. Walker Powell's salary be reduced to \$2,240 as formerly.

**Hon. Mr. Holton** said that of course if the House reaffirmed the action it had already taken by concurring in the report from the Committee, it would be bound in consistency to adopt the motion to reduce the salary of Mr. Powell. He went on to comment on the

fact that all the motions attacking the details of the scheme of the Government had come from their own supporters. The gentlemen on his (Mr. Holton's) side of the House had confined themselves to submitting general propositions, leaving the Government the responsibility of the details.

**Mr. Rymal** expressed his astonishment that the Minister of Militia as chief of a great party did not keep his followers in better subordination. His failure to do so indicated, he thought, that the honourable gentleman could not be trusted to manage the militia of the country. He had spoken of a torpedo when he introduced his Bill. The torpedo had now burst somewhat to the damage of the honourable gentleman. He would not be surprised if it threw him out of office as another torpedo did some years ago. He regretted the honourable gentleman's sectional appeals to his countrymen. One who had just been raised to the dignity of a baronetcy of the United Kingdom should be above such a thing. He (Mr. Rymal) would also appeal to the honourable gentlemen from Lower Canada—(hear, hear)—not as French Canadians, but as fellow-Canadians, and implore them to do their duty faithfully and honestly, and allow no man, great or small, to stifle the honest convictions of their minds. (Cheers).

Some remarks were then made by **Hon. Mr. Blanchet** and **Mr. Ross (Dundas)**.

**Mr. Little** wished to define his position in the House; it was not because he sat on the Opposition benches that he was not a supporter of the Government. He would adhere to them in every honest and reasonable project; in this respect he cordially concurred in the observations of the member for Dundas. He could not vote for a Bill which has a tendency to injure the volunteer force in this country. Our constituents, with reason, say that there is too much staff, and too large a proportion of the money asked for under the estimates for militia about to be expended on staff officers, and no adequate provision is recommended for the officers and men in the several volunteer and militia companies. The country cannot afford extravagant salaries in any department, and not such as by this Bill is recommended for the Deputy Adjutant-General and other staff officers. He was sorry to hear the remarks from the honourable member of Wentworth, as to the title and position of the Hon. Minister of Militia. As far as regards himself (Mr. Little) he hoped the gallant Baronet would continue to occupy

the position he at present fills, but hoped he would not again fall into such mistakes, as in numerous instances appear in this Bill. He was happy in thinking that the vote we were called upon to give, would not be given in the House as a party one. Members ought not to be called upon at all times to abnegate their functions as representatives of the people; they ought to be allowed to act as the honest dictates of their reason and sentiments most approve of, consistent with the wishes and interests of the country, without being called to question by any member, who after all, perhaps, would be the first to leave his party if the wishes of his constituents demanded it.

The House then again divided—The vote was announced yeas 64; nays 64.

Notice was taken that **Mr. Hurdon** who had voted with the yeas was not in the House when the question was put. His name was struck out and the division stood—yeas 63; nays 64.

**Yeas**—Archangeault, Beaty, Bellerose, Benoit, Blanchet, Bolton, Bown, Brousseau, Burton, Caldwell, Cameron (Peel), Campbell, Carling, Caron, Cartier, Cartwright, Casault, Cayley, Chamberlin, Chauveau, Coffin, Costigan, DeNiverville, Desaulnier, Dunkin, Fortin, Gaucher, Gendron, Gray, Grover, Howland, Irvine, Jackson, Keeler, Kirkpatrick, Langevin, Langlois, Lawson, Macdonald (Cornwall), Macdonald, Sir John A., McDonald (Middlesex), Masson (Soulanges), Masson (Terrebonne), McCarthy, McDougall, McGreevey, McMillan, Merritt, Morrison (Niagara), O'Connor, Pope, Robitaille, Rose, Ross (Champlain), Shanly, Simard, Simpson, Stephenson, Street, Tilley, Walsh, Webb, Wood—Total 63.

**Nays**—Ault, Bechard, Bertrand, Bodwell, Bourassa, Bowell, Bowman, Brown, Burpee, Cheval, Cimon, Connell, Coupal, Croke, Dobbie, Dorion, Dufresne, Ferris, Forbes, Fortier, Gaudet, Geoffrion, Godin, Hagar, Holton, Jones (Halifax), Jones (Leeds and Grenville), Kempt, Lapum, Little, Macfarlane, Mackenzie, Magill, McCallum, McMonies, Mills, Morison (Victoria, Ontario), Munroe, Oliver, Paquet, Parker, Perry, Pinsonneault, Pouliot, Power, Pozer, Redford, Ross (Dundas), Ross (Prince Edward), Ryan (Montreal West), Rymal, Savary, Scatcherd, Snider, Stirton, Thompson (Haldimand), Thompson (Ontario), Tremblay, Wallace, Wells, White, Whitehead, Willson, Young—Total 64.

**Sir G. E. Cartier** then moved to refer back the resolution with instructions to amend it by making the salaries respectively \$3,599 and \$1,799.

**Sir John A. Macdonald** explained that the object was to obtain the vote of Messrs. Hurdon and Fisher.

**Hon. Mr. Holton** said the Minister of Militia had stated that if his amendment were defeated he would accept the decision of the House and not move another resolution. This course was an invitation to the House to go on voting these sums dollar by dollar, which might be kept up for three months.

**Hon. Mr. Fisher** wished the motion divided. He desired to vote the \$1,800 to the Deputy Adjutant-General, but thought \$3,000 was enough for the Adjutant-General.

**Hon. Mr. Dorion** suggested that the honourable gentleman could secure what he desired by voting against Mr. Cartier's motion, and then moving a substantive motion with regard to the deputies.

The House then again divided, and the motion was lost—Yeas 63; nays 67.

The difference from the previous vote was as follows:— Among the yeas, the votes of Messrs. Fisher, Huot, and Hurdon, took the places of Messrs. Wood, Benoit, and Coffin. The nays were one less by Mr. Kempt, and four more by Messrs. Coffin, Cameron (Inverness), Drew and Rankin. Messrs. Wood and Kempt had voted as before, but as they had left the House before the decision was declared, their names were struck out.

**Sir G. E. Cartier** moved to refer back the report with instructions to amend by making Col. Walter Powell's salary \$2,240, as formerly, instead of \$2,600.

**Hon. J. Sandfield Macdonald** expressed his regret that the Minister of Militia, having been disappointed in getting his views carried out with reference to the Adjutant-General and the gentlemen in charge of the Militia Districts, should wreak his vengeance on Mr. Walter Powell, who had now the duties that used to be performed by two.

**Hon. J. H. Cameron** also expressed his disapproval of Mr. Cartier's amendment. If the Minister of Militia in framing his Bill

thought Mr. Powell deserved a certain salary, why should he reduce it now?

**Sir John A. Macdonald** said that the House having decided to reduce the other proposed salaries, it was proper to reduce this one also, in order to maintain a proper relation between the salaries of the Adjutant-General and his Deputy. Unless this were done the difference would only be \$400.

**Mr. Bowell** said that the difference would be \$1,400, as \$1,000 was allowed to the Adjutant-General for contingencies.

**Mr. Walsh** and **Mr. Shanly** opposed, and **Mr. Jones** (Leeds) supported **Sir G. E. Cartier's** motion, which was carried.

**Yeas 127, Nays 7.** (The nays were Messrs. J. H. Cameron, Shanly, Burton, Walsh, Carrier, J. S. Macdonald, and Lawson).

**Mr. Savary** moved an amendment to strike out the 50 cents a day, to be paid to officers of volunteers and active service militia.

**Yeas 26, Nays 102.**

**Hon. Mr. Fisher** moved an amendment, that the salaries of Deputy Adjutants-General should be \$1,500 each.

Lost on a division.

**Mr. Brown** moved to amend the Bill by making the term of service for volunteers the same as for drafted men—two years instead of three years, as in the Bill.

Lost; **Yeas 36; Nays 89.**

**Mr. Oliver** moved to amend the Bill by making the term for drafted men the same as for volunteers—three years.

Lost on a division.

**Mr. Chamberlin** moved to amend so as to permit the transfer of existing volunteer companies to the regular militia, retaining their organization.

Lost on a division.

**Dr. Parker** said he should not move the amendment, of which he had given notice, as he was convinced that no amendment could make it satisfactory to the people.

The Bill was then read a third time and passed.

The House then adjourned at a quarter past six o'clock.

## HOUSE OF COMMONS

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Monday, May 18, 1868

The Speaker took the Chair at 11 o'clock.

### JUDGE LAFONTAINE

**Hon. J. H. Cameron** presented the report of the Committee appointed with reference to the petition against Judge Lafontaine. They reported that, in consequence of the late period of the session, they could not now enter on the enquiry with any advantage, and recommend that further action be postponed till next session.

### QUESTIONS

#### OBSTRUCTIONS TO NAVIGATION

**Mr. Fortin**, who asked whether it is the intention of the Government to cause a hydrographic survey of the Ports of Amherst and House Harbour in the Magdalen Islands, in Canada, to be made during the present season of navigation, with the view to ascertaining the possibility of works for the removal of the sand banks which obstruct the entrances to those ports, and render access to them extremely difficult even for small fishing vessels, and also to prevent the formation of fresh sand banks; those two being the only ports which can be used by vessels navigating along the coast and engaging in the maritime fisheries of those parts?

**Hon. Mr. McDougall** stated that it was the intention of Government during the present season to send a competent officer to examine the ports of Amherst and House Harbour in Magdalen Islands, with a view of ascertaining the possibility of removing the sand banks which obstruct the entrance to these ports; but whether it would be a hydrographical survey or not, he could not say.

#### Claim of G. H. RYLAND

**Mr. Shanly**, who asked whether any report has been made by the Privy Council on the last despatch from the Duke of Buckingham, Secretary of State for the Colonies, to His Excellency the Governor-General, relative to the unsatisfied claim of Mr. George H. Ryland; also, what has been the cause of delay in the payment of the

moiety of the interest still due to Mr. Ryland under the award of the late Chief Justice Carter.

**Hon. Mr. Rose** stated that no report had been made by the Privy Council relative to the unsatisfied claim of G. H. Ryland, and that the Government never admitted their liability to Ryland under the award of the late Chief Justice Carter.

### JUSTICES OF THE PEACE

**Mr. Savary**, who asked whether it is the intention of Her Majesty's Government in the Dominion of Canada, to exercise the power vested in His Excellency the Governor-General, by His Excellency's commission, to constitute and appoint Justices of the Peace in the Dominion, and if not, whether a Bill will be introduced during the present Session to enable His Excellency to transfer such powers by his Commission to the Lieutenant-Governors in the Dominion?

**Sir John A. Macdonald** said it was not the present intention of the Dominion Government to appoint Justices of the Peace in the Dominion, nor was it the intention of the Government to introduce a Bill this Session to enable His Excellency to transfer his powers in the matter to the Lieutenant-Governors of the Dominion.

### INSPECTION OF FISH

A similar answer was also given by the Minister of Justice to **Mr. Fortin's** question as to whether it is the intention of the Government to bring down during the present Session a measure to amend the Act respecting the inspection of fish, and to make its provisions applicable to all the Provinces constituting the Dominion of Canada?

**Sir John A. Macdonald** said the Government did not intend this session to bring down a Bill respecting the inspection of fish.

### IMMIGRATION APPROPRIATION

**Hon. J. H. Cameron** moved an address for a statement of the sums appropriated for immigration purposes for the current quarter and year.—Carried.

### CANADA LIVE STOCK INSURANCE COMPANY

**Hon. Mr. Carling** moved the third reading of the Bill to incorporate the Canada Live Stock Insurance Company.

**Hon. Mr. Holton** called the attention of the Government to the Bill as being more local than general in its character.

**Hon. Mr. Dunkin** said this was the entering wedge, or part of the entering wedge, of a dangerous proceeding. The Bill purposed to create a Live Stock Insurance Company to operate over the whole of Canada, but it was really a Bill of a character more local than most Bills. It was not a Dominion insurance Bill, and he warned honourable gentlemen that in allowing such a measure they would be acting most unwisely. He hoped the Bill would be withdrawn, therefore, and introduced into the Ontario Legislature.

**Mr. Mackenzie** entirely concurred with the honourable gentleman. He (Mr. Mackenzie) had raised the question in the early part of the session. If once the Bill were allowed, all such Bills would come to the Dominion Parliament. It was much better they should be allowed to deal with these Bills in the Local Legislatures, where they were most familiar with the subject. Besides, in the absence of any discussion yet on the general measure which the Government promised, but which he hoped they would not bring down, he conceived it most unwise that at this late period of the session a Bill of so objectionable a nature should be introduced.

**Hon. Mr. Carling** said that if it were the opinion of the House, he would, of course, withdraw the measure, and introduce it in the Local Legislature.

**Mr. Blake** said that even if the Dominion Parliament had jurisdiction in the matter, still on the question of policy it would be exceedingly unwise that the Dominion Parliament should deal with this Bill.

**Hon. Mr. Carling** asked and obtained leave that the order should stand on the paper till to-morrow.

### CANADA VINE GROWERS' ASSOCIATION

**Mr. O'Connor** moved that the House go into Committee on the Bill respecting the Canada Vine Growers' Association.

**Mr. Mackenzie** objected, and said that the honourable mover had withdrawn the only

portion of the Bill which the Dominion Parliament could deal with. As it stood now it was purely a matter for the Local Legislature.

**Hon. Mr. Howland** said that he had been ill when this Bill came before the Government, and had not been able to give the measure that attention it deserved. But he took the earliest opportunity of saying that the Government would repeal the clause under which the company claim to have power to manufacture spirituous liquors from products other than the grape, and that such manufacture should not be subject to the excise duty. That was not the intention of the Government or the House. This Association, he learned, were about procuring a distillery to carry on distillation on a large scale.

**Mr. O'Connor** wished to say a few words in reply to the Minister of Inland Revenue. That honourable gentleman had said that the association was about establishing a distillery. Such was not the case, and no one authorized to speak for the company had ever made such a statement. It would have been proper to have applied to the company to ascertain their intentions. It was true that negotiations had been going on for the purpose of purchasing an old distillery building, but not for the purpose of starting a distillery. The Secretary of the company with the books in his possession had been fully prepared to give all information, but the Minister of Inland Revenue had never given him an opportunity of communicating to the Government. He (Mr. O'C.) thought it unfair that the Minister had taken his information from some one who was perhaps an enemy of the Company.

**Hon. Mr. Howland** explained that in November last, he had obtained his information, but from no secret source, that the company claimed the right to manufacture spirits. Hon. Mr. Howland made some further remarks in reply to the member for Essex, and the motion was allowed to stand.

### PAYMENT OF ELECTION WITNESSES

**Hon. Mr. Holton**, in the absence of Hon. Mr. Dorion, moved that Joseph Anctil, Thos. Lebel, and Michael Lebel, witnesses before the Committee of Privileges and Elections in the Kamouraska Election be paid the usual allowances to witnesses, and be discharged from further attendance.

**Hon. Mr. Langevin** said these men were some of the parties reported by the Com-



mittee as having taken a leading part in the acts of riot and gross violence which prevented an election taking place in Kamouraska. The Committee under the circumstances thought they could not recommend these men to be paid. To pay them would be to encourage violence at future elections.

**Hon. Mr. Holton** said he had hoped the honourable gentleman would have risen superior to the petty disputes which had existed so long in Kamouraska, but on the contrary he had brought to bear on this question all the feeling of a local partisan. The honourable gentleman said these men were in the riot, but what did the Committee report in reference to the provocation they had received? They reported that the leading partisan of the Minister of Agriculture, the returning officer, had given most serious provocations by his improper conduct—that he had, in fact, sought to disfranchise those parishes where the strength of the opponent of the Minister of Agriculture lay. These men had been summoned here as witnesses; was it that they might criminate themselves? If they had been guilty of improper conduct, let them be punished in the usual way, but not by bringing them here and the keeping them here for six weeks at their own expense. He appealed to the Minister of Justice to say whether this was in accordance with the principles either of law or justice.

**Mr. Chamberlin** accused the member for Chateauguay of himself displaying an indiscreet partisan zeal in the matter and denied that it had been proved before the Committee that in disfranchising three parishes, the Returning Officer had acted as a partisan.

**Mr. Dufresne** argued that the parties on account of their culpability as rioters should not be paid as witnesses. If they were paid, their charges which would be \$130 or \$140 for each. They would probably at next election not be content with common riot but would take a number of lives. There was only one parish disfranchised by the Returning Officer, and in that parish at a previous election 85 voted for Mr. Chapais and only 58 for his opponent. Mr. Letellier, who had more influence there than Mr. Chapais' opponent at last election (Mr. Casault). Before the ordinary courts if a witness perjured himself the Crown Officer directed that his expenses as a witness should not be taxed. The member for Chateauguay showed partisan feeling in selecting just three of these witnesses, and

asking that their expenses only be paid. The honourable gentleman had not fairly represented the proceedings of the Returning Officer. That functionary had not done anything partisan except a silly act some six months before the election in parading one of his animals with certain colours at his head and certain other colours at his other extremity. Kamouraska had given an example in 1854 which had encouraged riots and violence in many other counties, and it was not until the guilty parties were punished that we ceased to hear of such proceedings; so these parties now should not escape with impunity. If they gave evidence criminating themselves, it was right that their answer should weigh in the taxing of their expenses.

**Hon. Col. Gray** urged that when a man was subpoenaed to attend Parliament as a witness, he should have assurance that his reasonable expenses should be paid. The Committee recommended that these parties should be prosecuted, which implied that they had a right to be heard before they were condemned, and on that ground also they ought not to be deprived of their expenses. If they were not paid, men hereafter would come before Parliament with a sense that injustice might be done them.

**Hon. Mr. Holton** said he did not wish to take up the time of the House unnecessarily, and he would submit a proposition. If the Minister of Justice would say that in his opinion these men, while the riot was being held over them here or elsewhere for their conduct at the election, were not entitled to payment as witnesses on account of their implication in the guilt of the riot, he would acquiesce.

**Sir John A. Macdonald** said, as a matter of law, they had not a legal claim to be paid. It was a matter for the consideration of the Committee. They had not been brought here as witnesses, but in consequence of their names being included in the return by the Returning Officer. It was within the competence of the Committee to decide as to their payment. The Committee had decided they should not be paid, and he thought the House was bound to support that decision.

The motion was withdrawn.

#### DEPARTMENT OF PUBLIC WORKS

The resolution of which **Mr. Jones (Leeds)** had given notice, respecting the Department of Public Works, having been called—

Mr. Jones said he had consulted his friends on both sides of the House, and he had come to the conclusion that justice could not be done to the resolution in the closing days of the session. He intended to renew it early next session, and the Minister of Public Works would no doubt be prepared by that time to defend his department.

The motion was accordingly dropped.

#### PARLIAMENT BUILDINGS JOBBERY

The following notice, by Mr. Mackenzie, being called—a Select Committee to inquire into the accounts of work done in the Parliament buildings, as shown in the return to an address dated April 21st, 1868—being details of items entered in the public accounts for the year ending June 30th, 1868, and Mr. Garth's account for heating the Parliament Buildings, with power to send for persons and papers—said Committee to consist of Messrs. Chamberlin, Bolton, Blake, Gibbs, Morison (Victoria), Morris, Scatcherd, Masson (Terrebonne), Dufresne, Rymal, Shanley and the mover.

Mr. Mackenzie said as it was proposed to prorogue on Wednesday, it would be impossible for the Committee to do anything this session. He should therefore withdraw the motion for the present, with the view of entering upon the enquiry next session.

Hon. Mr. McDougall said he hoped before the House rose to have a detailed statement prepared in reply to the charges brought by the member for Lambton in the debate the other evening.

#### CANADA VINE GROWERS' ASSOCIATION

Mr. O'Connor moved to remit the sum of \$100 paid into the Private Bill office on the Bill respecting the Canada Vine Growers' Association. Carried.

#### THE "JOURNAL DE SOREL."

Mr. Benoit moved an address for accounts presented to Government by the Proprietor of the *Journal de Sorel*. Carried.

#### KAMOURASKA ELECTION

Hon. Col. Gray moved the adoption of the second report of the Committee of Privileges and Elections relating to the Kamouraska Election. Carried.

#### PARLIAMENTARY LIBRARY

Mr. Blanchet moved the adoption of the first report of the Joint Committee on the Library. Carried.

The House adjourned at two o'clock till four.

#### AFTERNOON SITTING

#### SPECIAL COMMISSION TO TRY WHELAN

Mr. Burton moved an address for all correspondence between the Minister of Justice or the Government of Canada, and the Attorney General or Government of the Province of Ontario, respecting the issue of a Special Commission for the trial of the persons now in gaol accused of the assassination of the late Hon. Thomas D'Arcy McGee. He said it was a delicate matter for this House to deal in any way with the administration of the laws of criminal justice. He thought, however, this was a matter which specially deserved the attention of the House. Some three weeks ago it was commonly rumoured and believed, and high authorities were rightly or wrongly quoted in support of that belief, the commission would be issued; shortly afterwards, it was announced that no commission would be issued. Almost every member to whom he had spoken agreed with him that the Government did very wrong in not issuing a Special Commission, so that the prompt meeting out of justice to the assassin of Mr. McGee might strike a heavy blow at Fenianism in this country.

Sir John A. Macdonald said there had been no official correspondence on the subject. The administration of criminal justice rested with the Local Government, and it was for the Local Government to take such steps as to them might seem most conducive to the interests of justice and to protect the public. The General Government had no power in the matter.

Mr. Burton said he should like some explanation from the Attorney-General of Ontario.

Hon. J. Sandfield Macdonald said he did not feel called upon here to answer for his conduct as Attorney-General of Ontario. He must decline giving any explanation.

The motion was withdrawn.

#### PATENTS FOR INVENTIONS

Mr. Masson (Soulanges) moved the second reading of the Bill to amend Chapter 34, Consolidated Statutes of Canada, respecting

patents for inventions. He said in the Governor-General's speech, at the opening of the Session, it was stated that a measure would be laid before the House of Commons for the amendment of the law relating to patents for inventions. Such a Bill had been submitted to the other House, but, for some reason, Government had not thought proper to bring it here. He felt, therefore, that it became his duty in this matter to take the lead of the Government. (Laughter). The object of this Bill was to treat the United States in the same way as other foreign countries, so that Canadians travelling in that country, and becoming acquainted with valuable discoveries there, might patent them here for their own interest and for the benefit of the whole Dominion. (Cries of carried).

**Hon. Mr. Holton**—Have the Government nothing to say?

**Mr. Masson**—I am the Government. (Laughter).

**Hon. Mr. Holton** said that before the motion was carried, he wished to know if the Government accepted this as the measure promised in His Excellency's speech.

**Sir John A. Macdonald** said that a measure had been introduced into the other House, and had there been amended in such a manner that the Government would not take the responsibility of proceeding with it. He proposed to allow this Bill to be read a second time, and it was not improbable that the Government might take advantage of it.

The Bill was then read a second time.

**Mr. Masson** moved that it be referred to Committee of the Whole forthwith.

**Sir John A. Macdonald**—No! no! Tomorrow.

#### AID TO DISTRESSED FISHERMEN

**Hon. Mr. Chauveau** asked whether it is the intention of the Government to extend any assistance to the fishermen of Nova Scotia, of the District of Gaspé, and of the coast of Labrador, who are in great distress in consequence of the failure of the fisheries?

**Sir John A. Macdonald** said it was not the intention of Government to extend assistance to the distressed fishermen of Nova Scotia, Gaspé and Labrador. They considered that was a matter for the Local Governments to

deal with, nor was it their intention to bring forward any measure for granting aid to the DeSalaberry family.

#### ROAD TO RED RIVER

**Mr. McConkey** asked whether the Government have yet decided in reference to continuing the road from Fort William, Lake Superior to Fort Garry, and if in the affirmative, whether it is their intention to go on with the work this season?

**Sir John A. Macdonald** said the Government had not yet decided on continuing the road from Fort William, Lake Superior, to Fort Garry on the Red River.

#### COAL

On motion of **Mr. Brousseau**, the House went into Committee on the Bill to amend Chapter 63 of the Consolidated Statutes for Lower Canada, insofar as the same relates to measurement and discharge of coal.

The Committee reported progress and obtained leave to sit again to-morrow.

#### RAILWAY BILL

**Sir G. E. Cartier** moved the third reading of the Bill respecting railways.

**Hon. Mr. Holton** moved in amendment to recommit the Bill with the view of amending it so as to provide that all railway companies shall be bound to grant the usual facilities on equal terms to all incorporated express companies demanding such facilities. He said the railways were themselves much of a monopoly, and they had created a sub-monopoly in favour of one of the express companies, which did the light carrying trade of the country. The question had arisen in connection with a private Bill introduced by the member for Niagara, incorporating an express company. It had been urged that that company should receive the same privileges with respect to railways as other companies enjoyed, but it was argued that such a provision could not be introduced into a private Bill. He (Mr. Holton) then intimated his intention to move for the introduction of a general provision into the general Railway Act, giving all express companies the same facility. He did so in the railway committee, but his amendment was rejected by a vote of 19 to 11. He then intimated his purpose of moving his amendment when the Bill should come before the House.

**Sir G. E. Cartier** objected on a point of order that the Bill was only prospective, applying to the Intercolonial Railway and other railways to be built, and railways assumed by Government, and that the amendment was general in its character.

**Hon. Mr. Holton** met the objection by altering his amendment so as to apply only to railway companies affected by the Bill.

**Sir G. E. Cartier** then proceeded to argue the question on its amendment. He said the amendment would prevent railway companies from being able to exercise their discretion as to making arrangements with good solvent express companies; moreover, only a certain amount of space could be allotted by a railway company to an express company, and it would be very inconvenient to give equal facilities to more than one such company. Such a clause as that proposed would be unjust and would create confusion.

**Mr. Mackenzie** supported the amendment. He said that, in the State of New York, the railways were obliged to make arrangements with all express companies who desired it. All that was necessary was to provide sufficient room for stowage. The officials of some of our railway companies were directly interested in certain express companies, and the result was a monopoly in favour of these companies, which made the public have to pay three times what they ought for carrying small packages. Every facility ought to be given for fair competition.

**Hon. Mr. Howland** opposed the amendment. The Express Company, on account of the valuable character of the goods they carried, required to have complete control of the portion of the train they occupied. If the railways had to give the necessary accommodation to every express company which applied for it, they would have to charge rates which would make the charge higher than at present.

**Mr. Bodwell** supported the amendment, contending that it was in the interest of the public that facilities should be given for fair competition between the Express Companies.

#### EVENING SITTING

#### FISHERIES BILL

**Sir J. A. Macdonald** moved the third reading of the Bill for the regulation of Fishing and protection of Fisheries.

**Mr. Fortin** said, before this Bill is read for the third time, he had some remarks to offer to the House. When he spoke on the second reading of the Bill, he said he approved its several clauses with few exceptions; he had some amendments to suggest, when the Bill came before the House in Committee, but on the assurance that what he wanted to remedy could be done by an Order-in-Council, he would let it pass. There was an omission in the Bill; it was the clauses of the Bill of 1859, which have established a bounty in favour of fishing vessels. The bounty had had good results during the few years that it had lasted; and the whole Maritime population would feel dissatisfied, when it would come to the knowledge that the bounty was abolished. The remarks that he had made on the second reading of the Bill had been answered by the Hon. Minister of Finance in a very polite and genteel manner, but not to the satisfaction of the fishermen. The Maritime population of Canada had always been in favour of Confederation, not that they expected to receive the money of the country, but they expected that it would develop all the resources of the country, and especially the Maritime element. But what was their position now? They labour under disadvantage rather than otherwise. The bounty was taken away, and they receive nothing in return; and our fishermen had to compete in our own waters with American fishermen who had received the bounty for nearly sixty years, and who, by this means, had been enabled to build up a fishing fleet of 1,000 vessels, and more, I may say, the best equipped in the world. Could we expect our people to have any chance under such circumstances? No. The advantage was all on the side of our neighbours. Add to this the want of protection to our sea coast fisheries, from the end of the American war, to a period not remote from us, and every one will understand the great difficulties under which our people always laboured. He hoped the Government would take all this under consideration. Now, by the licensing of our waters to the American fishermen, there is a good sum accruing to the Government. Last year the Provinces received in all \$18,000. With the \$2 fee, it can be about \$36,000. Add to this the salmon and trout license fees and we will have more than \$40,000. Well, if the Government added to this \$50,000 or \$60,000, we would have a fund of \$100,000, which, employed in encouraging and fostering the fisheries, would produce a great deal of good. If there was not money enough to give

the same amount as last year to our fishing vessels, it might be reduced to one-half or even one-fourth; but even with this reduced rate, there would be some encouragement, and he hoped the Government would give it. This increase in the license to be paid by American vessels from one to two dollars has created a good deal of excitement among our neighbours on the other side of the line, as shown in the House of Representatives of the United States, and a large majority of that body has even voted a proposition calling on the President to send an armed force in the Gulf of St. Lawrence for the protection of the American fishermen, under the supposition that they would be molested by British cruisers. Now the American fishermen have never been molested in the gulf, by British or Provincial cruisers, and there is no danger of it ever happening. Why how have matters stood in the gulf for a long time? For many years until the year 1852, the American fishermen have been admitted in British waters without hindrance, and to the great annoyance and disadvantage of our own fishermen. And I could cite many fishing groups inside of British limits, which, for a long time, were in the hands of the American fishermen. No, they have no reason to complain. It is our own fishermen who would have had reason to complain many times for the utter neglect and abandonment in which those important fisheries were allowed to remain for so long a period by the Provincial as well as by the Imperial Governments. Now the fisheries are very important in many ways, as he had explained to this House on the second reading of the Bill. He would not go over the same arguments again, but there is one point that he would touch. The fisheries are closely connected with the defence of the country. The more they are developed the larger would be the Maritime population. The gulf is the door way of our country, and Canada as well as England are interested in keeping this way in our possession. By it we will receive this assistance, for our defence which has been so solemnly promised to us by the Government of England; but, at the same time, we must keep it shut to our enemies. And who would help England to attain this end, but the sailors and fishermen of this Dominion? Increase their number, make them prosperous and happy, and you have so many defenders of our country. Our fisheries are also of great importance to the Mother Country, and they are closely linked with the question of the supremacy of

the seas. As long as Great Britain owned the fisheries of British North America, there was no danger of her losing her Maritime power. But if they were to pass into the hands of the Americans, and with them the Maritime population of the Provinces—well, he did not want to prophesy, but it was his earnest conviction—he said it before the statesmen of Canada, and if he was in presence of the statesmen of Great Britain, he would make the same statement that less than twenty years after—such an irreparable misfortune, provided of course the American Union was not broken—the United States would be in a position to wrest from England the naval supremacy that she has enjoyed so long, and our neighbours and rivals would become the first naval power in the world. Have not the fisheries always been considered the life blood of commerce and the best nursery for seamen? After offering those few remarks, he would resume his seat, and express his firm hope that the Government would not abandon such an important industry to itself, but would do everything to encourage and foster it.

**Mr. Jones (Halifax)** agreed with the remarks of the member for Gaspé, and hoped that before the debate closed the Government would announce their policy regarding the license to fishermen.

**Sir John A. Macdonald** assured the honourable gentleman that the Government was alive to the importance of this branch of industry. As to the question of bounties, for good or for evil that question had been settled for the present session. The Government had endeavoured as much as possible to assist the fisheries, and the rate of license for American vessels had been fixed at \$2 per registered ton. Originally the rate had been two shillings and six pence. Then it had been raised to five shillings, and now the rate had been doubled. On this matter the policy of the Government had only been arrived at after a good deal of difficulty and considerable communication with the Imperial authorities. The rate had, however, only been fixed for the season, as it was thought well for the Government to keep the whole subject in hand, lest a restrictive course might be pursued by the United States, which would demand other action from the Dominion.

**Mr. Mackenzie** supposed the leader of the Government would have no objection to bring down the correspondence with the Imperial authorities.

**Sir J. A. Macdonald** said it would not be for the public interest that the correspondence should be brought down.

**Mr. Mackenzie** said that in that case he would not, of course, press his request. He had watched with considerable interest the course of the discussion on this subject in the American newspapers since the report went abroad that Canada had imposed a duty of \$2 per ton, and he had observed that, with a single exception, the press in the neighbouring republic had maintained that that was a reasonable tonnage, compared with the duty imposed by them on our fish. It was clear they did not think that which was said to be the Canadian measure to be so stringent as their own. His belief was that if, from the first, they had taken firm ground on this fishery question, much would have been done towards obtaining reciprocity in all our transactions with the people of the United States. And while he did not blame the Government for only imposing \$2, his opinion was that they would have done better had they made it \$4 or \$5. As the Government had assumed the burden of protecting these fisheries, it became them to show firmness as well as moderation. Both should characterize all their efforts in this direction.

**Mr. Savary** agreed with the honourable member for Lambton, and sincerely hoped some step would be taken towards the efficient protection of the fisheries. With the additional license fee to be demanded there ought to be an additional force to see that the fee was properly collected, and to see that our rights, whatever they were, should be properly respected. It was not by a system of concessions to an unreasonable and exacting people that the dignity and honour of the Dominion would be sustained, and he hoped no such policy would ever be adopted.

The Bill was then read a third time and passed.

### RAILWAY BILL

The House resumed the debate on the motion for the third reading of the Railway Bill and **Mr. Holton's** amendment thereto.

**Hon. Mr. Holton** said he had agreed with the Minister of Militia on a clause which would accomplish the object he had in view, and which could be inserted after the third reading.

The Bill was then read a third time.

**Hon. Mr. Holton** moved to amend the Bill by inserting the following as third subsection to Clause 47—"Any railway company granting any facilities to any incorporated express company shall grant equal facilities, on the usual terms and conditions, to any other incorporated express company demanding the same."

**Mr. Wood** regretted that the Minister of Militia should have accepted this amendment, which appeared to give one class of incorporated companies privileges above what were granted to others. The law was as clear as could be that all incorporated companies had the privileges which this amendment proposed to bestow on express companies. They might as well insert a clause that all mill owners should have equal privileges, or that all wholesale merchants should have equal privileges. No lawyer would deny that under the general clause all express companies have this right, and to single out express companies was, by implication, to withdraw similar privileges from other companies and individuals.

The amendment was agreed to.

**Mr. A. P. McDonald** moved an amendment requiring railway companies to keep their culverts in good order, so as not to interfere with the drainage of adjacent lands.

**Mr. Wood**—This was already the law of the land. No object was to be served by introducing into this Bill the whole common law that was applicable to railways.

**Sir J. A. Macdonald** said the amendment, if carried, would not apply to existing railways to which this Bill did not refer. He thought, moreover, the existing law was sufficient, and suggested that, as the amendment would be useless, the honourable gentleman had better not press it.

**Mr. A. P. McDonald** said the law was so cumbrous that poor agriculturists could not get the benefit of it against powerful companies like the Great Western and Grand Trunk. What was wanted was some clear, plain provisions, which could not be misconstrued. If his amendment could not be made to apply to existing companies, it might at least be applied to railways still to be built, so as to benefit future generations.

After further discussion, the amendment was negatived on a division.

**Mr. Blake** said great injustices had been found practically to exist in consequence of

there being no limitations to the conditions which railway companies were permitted to attach to the liability with reference to conveyance of goods and passengers. Very unreasonable conditions were attached to the conveyance of goods by existing companies. Actions had been brought in cases where clear wrongs had been committed, and these conditions had been successfully available as a defence. On several occasions the Courts had commented on the unreasonable character of these conditions, and pointed to the advisability if not necessity of legislative interference to limit the conditions. A provision had now been introduced into the English law that the railways should not be empowered to impose conditions other than those the Court or Judge deemed to be reasonable conditions. He moved an amendment to the effect that any party aggrieved by any failure of a railway company to accomplish what it had undertaken with reference to the conveyance of goods or passengers should have a remedy therefor, notwithstanding any notice, condition or declaration, given by the company, which by the Court or Judge should be adjudged to be unjust or unreasonable.

Sir G. E. Cartier expressed his willingness to accept the amendment.

Mr. Wood thought the House should be cautious as to making any such change in the law. In England there had been great diversity of decisions as to what were reasonable conditions, and we would have the same result here, if every petty Judge from the extremity of Nova Scotia up to Ontario was called upon to decide what was reasonable and what unreasonable. He thought the better course would be for the legislature to define the limitation of the conditions of which carriers might avail themselves, so that there might be one uniform law on the subject.

Mr. Jones (Leeds) supported the view urged by Mr. Wood. He thought the effect of the amendment would be to cause endless litigation.

Mr. Macfarlane suggested that the exact language of the English Act be employed, so that the decisions of English Courts might be available here.

After further discussion, the amendment was agreed to, and the Bill then passed.

#### CUSTOMS DUTIES

On motion of Hon. Mr. Tilley the House went into Committee on the Bill imposing Duties of Customs.

The Committee having reported the Bill, Mr. Jones (Halifax) moved that the report be not concurred in, but that the Bill be referred back to Committee, with instructions to provide that the barrels containing molasses for consumption be placed on the free list.

Hon. Mr. Tilley said that at different ports in the West Indies there were different charges for packages. At some ports they were charged \$4 and at others \$10. Where the packages were entered at a high figure, the molasses was entered at a lower rate, and such a port would have an unfair advantage. The proposed amendment would lead to frauds on the revenue.

After further discussion, the amendment was lost, on a division.

Mr. Jones then moved the amendment which he had moved at a former stage to make duties on all sugars 25 per cent *ad valorem*, and 3/4 cent specific instead of 25 per cent *ad valorem* and a sliding scale of 1 cent, 3/4 cent and 3/8 of a cent specific according to value. He said in the former debate he had asserted that the old duty on the highest class of muscovado was \$2.25, while the Minister of Customs and Minister of Inland Revenue had stated it to be \$2.60. He had telegraphed to two of the leading firms in Montreal, and they both answered that the highest duty paid on the best Porto Rico was \$2.25. The whole argument had hinged on the assertion that it had paid \$2.60, what was now proposed being \$2.33. He therefore invited the House to reconsider the question. He thought there could be no doubt that the amount of protection to the refiner was greater under the present tariff than under the old one.

Hon. Mr. Rose in reply, read a letter from Mr. Cramp, one of the gentlemen to whom Mr. Jones had telegraphed, stating his belief that the adjustment of sugar duties under the new tariff would work well and satisfy all moderate men.

Hon. Mr. Holton would be exceedingly glad to follow the lead of his honourable friend on the sugar duties; but regarding it from his own point of view, as a free trader, it seemed to him that a proposition to lay a uniform rate of duty on sugars of all grades was not such as he would vote for.

The amendment was lost.

**Mr. Young** then moved that the report be not concurred in, but referred back to Committee, with instructions to provide that the duty on green and Japan tea be 6¢ per pound. He moved this as a measure of justice for Ontario, and one in which the people of Quebec were also largely interested.

**Hon. Mr. Tilley** said that the proposition just made would involve a reduction in the public income of somewhere about \$47,500.

**Mr. Mackenzie** said that what the Government had to do was to adjust the new tariff, so that it should bear equally on all classes. It was for the Ministry to find out the ways and means to meet the public expenditure fairly and equally, and not to impose unjust taxes on a portion of the people because the Ministry required money; besides the Opposition had already saved the country so much that Ministers could readily afford to do justice in the premises. The Opposition had saved \$18,000 on one item; on Saturday, in spite of the utmost efforts of the Government to the contrary, the Opposition had effected a further saving of between \$6,000 and \$7,000, and before the House closed they meant to bend their efforts to save more. (Hear and laughter).

**Mr. Jones (Leeds)** would vote for the amendment.

**Mr. Ferguson** thought the policy that favoured black tea was the best, and he believed the benefit to be derived from the use of black instead of green tea was the same as might be expected from light good wines superseding the use of whisky and strong liquors of that description, he would therefore support the Government policy as one tending in the right direction. The difference besides was only 1.13 point per pound between black and green tea, and if it favoured, as he believed it did, the introduction of black tea, he thought it just.

**Mr. Young** called attention to the fact that Ontario and Quebec would, by the Government proposition, be made to contribute on this article by what in their case amounted almost to a special tax of nearly \$48,000 which would be a heavy item of taxation on these two provinces.

The House then divided on the amendment, which was lost.

**Yeas 44—Nays 65.**

**Yeas**—Ault, Bechard, Blake, Bourassa, Bowell, Brousseau, Cheval, Coffin, Daoust, Fortier, Gaudet, Geoffrion, Godin, Hagar,

Holmes, Holton, Jones (Halifax), Jones (Leeds), Lapum, Macfarlane, Mackenzie, Masson (Soulanges), Masson (Terrebonne), McMonies, Merritt, Metcalfe, Mills, Morison (Victoria), Oliver, Parker, Pozer, Redford, Ross (Dundas), Ross (P.E.), Rymal, Scatcherd, Snider, Stephenson, Stirton, Thompson (Haldimand), Tremblay, Wells, White, and Young—44.

**Nays**—Archambeault, Bellerose, Bertrand, Blanchet, Bolton, Brown, Burpee, Caldwell, Cameron (Peel), Campbell, Carling, Cartier, Cartwright, Casault, Chamberlin, Chauveau, Cimon, Connell, Currier, DeNiverville, Desaulnier, Dobbie, Dufresne, Dunkin, Ferguson, Ferris, Fortin, Gaucher, Grant, Gray, Grover, Heath, Howland, Huot, Irvine, Johnson, Keeler, Kirkpatrick, Langevin, Langlois, Macdonald (S r J. A.), McCallum, McCarthy, McDougall, McGreevey, McMillan, Morrison (Niagara), Pope, Pouliot, Power, Rankin, Robitaille, Rose, Ross (Champlain), Ryan (Kings, N.S.), Ryan (Montreal), Savary, Shanly, Simard, Simpson, Street, Tilley, Wallace, Webb and Wood—Total 65.

**Mr. Young** then moved in amendment, that the report be referred back to provide that the duty of five per cent placed on iron be taken off, and that all articles under the head iron in the 5 per cent list be put in the free list. The honourable gentleman supported the amendment at length.

Lost on a division.

**Mr. Oliver** moved in amendment that the report be referred back to provide that horned cattle, swine and sheep be placed in the free list when imported for agricultural purposes by agricultural societies.

The House divided on Mr. Oliver's amendment. **Yeas, 51; Nays, 65.**

**Yeas**—Ault, Bechard, Benoit, Blake, Bolton, Bourassa, Bowell, Bowen, Burpee, Caldwell, Cameron (Inverness), Cheval, Coffin, Connell, Currier, Fortier, Geoffrion, Gendron, Godin, Grant, Hagar, Holmes, Holton, Jones (Halifax), Macdonald (Cornwall), Macfarlane, Mackenzie, Masson (Soulanges), McCallum, McMonies, Merritt, Metcalfe, Mills, Munro, Oliver, Parker, Perry, Pouliot, Power, Pozer, Redford, Ross (Prince Edward), Rymal, Scatcherd, Snider, Stephenson, Stirton, Thompson (Haldimand), Tremblay, Wells and Young—51.

**Nays**—Archambeault, Bellerose, Bertrand, Blanchet, Brousseau, Cameron (Peel), Campbell, Carling, Cartier, Cartwright,



Coupal, Cayley, Chamberlin, Chauveau, Cimon, Daoust, DeNiverville, Desaulnier, Dobbie, Dufresne, Dunkin, Ferguson, Ferris, Fortin, Gaucher, Gaudet, Gray, Grover, Heath, Howland, Huot, Irvine, Johnson, Jones (Leeds and Grenville), Kellar, Kirkpatrick, Langevin, Langlois, Lapum, Macdonald (Sir J.A.), McDonald (Middlesex), Masson (Terrebonne), McCarthy, McDougall, McGreevey, McMullen, Morrison (Niagara), Pope, Rankin, Robitaille, Rose, Ross (Champlain), Ross (Dundas), Ryan (Montreal West), Savary, Shanly, Simard, Simpson, Street, Tilley, Wallace, Webb, White and Wood—65.

**Mr. Blake** moved a similar amendment to put rice in the free list. *Yeas, 34; Nays, 81.*

**Mr. Munroe** moved in amendment to strike Indian corn out of the free list, and put it as it was before. *Lost—Yeas, 21; Nays, 93.*

The Bill was concurred in on a division, read a third time, and passed.

#### SUPPLY TO HER MAJESTY

**Hon. Mr. Rose** introduced a Bill entitled an Act granting a supply to Her Majesty. Second reading ordered for to-morrow.

#### INSURANCE COMPANIES

At the suggestion of **Hon. Mr. Holton**,

**Hon. Mr. Rose** moved that the order for the resumption of the adjourned debate on the motion for the second reading of the bill respecting Insurance Companies be discharged. Carried.

**Hon. Mr. Rose** then moved the House into Committee on certain resolutions providing for the licensing of Insurance Companies doing business in Canada.

**Hon. Mr. Holton** gave his honourable friend notice that to-morrow, when the Bill to be founded on the resolutions came up, he would give the Finance Minister no quarter, as he (Mr. Holton) was strongly opposed to the Bill. It would have to be amended clause by clause.

**Hon. Mr. Rose** explained that the changes embodied in the resolutions before the House marked a considerable departure from the Bill as originally introduced, and had been arrived at after all the interests to be specially affected had been consulted.

**Hon. Mr. Holton** said it was perhaps a little doubtful whether the honourable gentleman introduced his measure in the higher and

lofty interests of the general public, as he had lately stated, or whether it was mainly to get more money. He (Mr. Holton) had a suspicion that the main motive was to drag some more money out of the insurance companies—that it was essentially a forced loan, one of the great objects being to compel investments in Dominion stock. Now, he would be prepared to show that the higher and loftier purpose would not suffer by postponement till next session.

**Hon. Mr. Rose** would tell the honourable gentleman, with the same candour and singleness of purpose which marked the query that the higher and loftier motive was the primary one; but that Government also desired to increase the revenue.

**Mr. Blake** inquired whether he was correct in understanding it to be the intention of the Government not to require any company doing business in any one of the Provinces of the Confederation to become subject to the provisions of the Bill.

**Hon. Mr. Rose** intended to make an alteration to that effect.

**Mr. Blake** enquired whether this would apply to companies incorporated by the old act and continuing business in Ontario and Quebec? Otherwise the honourable gentleman would be keeping his promise to the word and breaking it to the sense. There were a considerable number of insurance companies chartered by the late Province of Canada which had power to do business in both Provinces.

**Hon. Mr. Rose**—There were a great many incorporated under the general Act.

**Hon. Mr. Dunkin** thought it plain that they ought not to interfere with the amount of licensing power which the Provinces possessed under the Union Act.

**Mr. Mackenzie** enquired how much it was expected by the Government to receive by the deposit of \$50,000? What number of societies came under the Dominion arrangement?

**Hon. Mr. Rose** would reply to-morrow.

**Hon. Mr. Holton** said that as this measure was now confessedly introduced as a financial measure, the House was entitled to know the financial results expected from it. Of course it was to be considered a financial measure.

**Hon. Mr. Rose**—Oh, no.

**Hon. Mr. Holton** argued that it was not to be supposed that at this late hour of the session the Government would bring in any measure except one for raising money.

**Hon. Mr. Rose** protested against the conclusion of the member for Chateauguay. The primary object of the measure was to put insurance on a sound basis. (Laughter).

The resolution passed, the Committee rose and reported, and the report was ordered to be received to-morrow.

### INDEPENDENCE OF PARLIAMENT

**Sir J. A. Macdonald** moved the second reading of the Independence of Parliament Bill, explaining its provisions at length.

**Mr. Blake** regretted that a measure like this, of the utmost importance, should be brought down to the House at such a late period as forbade a proper discussion of it. It would, at this stage, have been far better to make this a temporary measure, to have re-enacted that which had been the law in the greater portion of the Confederation, and left the general principle of the Bill to be fully discussed next session. The honourable gentleman addressed the House in a lengthy speech, showing that this measure was not sufficient to secure the independence of Parliament; but that it left loopholes by which Parliament might be filled with the paid permanent officers of the Dominion.

**Sir G. E. Cartier** advocated the Bill.

**Mr. Savary** opposed the Bill.

**Hon. Mr. Holton** said this was too important a Bill to be pushed through in the closing hours of the session, and he would suggest that in order to meet the contingency referred to by the Minister of Justice, if it should arise before Parliament reassembled, either the Independence Act of the old Province of Canada should be re-enacted or a short Bill for that purpose should be passed; but it was too much to ask Parliament at the very close of the session without any opportunity for debate, to pass a measure which would reverse the policy of the last 20 years, and allow the House to be filled with placement of all kinds—sheriffs, registrars, clerks of the peace, prothonotaries, etc.

**Sir John A. Macdonald** said besides the fact that vacancies in the Government might be filled before Parliament reassembled, it so happened that the disqualification, in the other Provinces were different from those which

had existed in Canada. It would be an injustice to the other Provinces to take the Canadian Act and enforce it on the other Provinces. This simple question was whether the measure now introduced met the wishes and desires of all parts of the country. He did not look on this as a temporary Act. It was the law we had in Canada for a long time, with the exception he had stated, and was much more stringent in its provisions than the similar law in England. He would suggest that the Bill be allowed to go to the Committee of the Whole to-night, and that a more full discussion be taken at a subsequent stage to-morrow.

The Bill was then read a second time.

**Sir John A. Macdonald** moved that it be now referred to Committee of the Whole, and suggested that it be allowed to go through Committee without discussion.

**Hon. Mr. Holton** said he would prefer having the discussion in Committee of the Whole.

**Mr. Mackenzie** expressed his regret that so important a Bill had not been brought up sooner, and said the changes, in his opinion, were all in the wrong direction.

**Sir John A. Macdonald** subsequently agreed to allow the motion for going into Committee to be postponed till to-morrow.

### THE CRIMINAL LAW

On motion of **Sir John A. Macdonald** the order for the Bill respecting the criminal law was discharged.

The Act respecting procedure in criminal cases was read a second time.

### RIOTS NEAR PUBLIC WORKS

**Sir John A. Macdonald's** Bill respecting riots near public works was read a second time, considered in Committee, and reported.

### OATHS TO WITNESSES

The House resumed the adjourned debate on the motion of **Sir John A. Macdonald** for the 2nd reading of the Bill to provide for oaths to witnesses being administered in certain cases for the purposes of either House of Parliament.

The Bill was read a second time, considered in Committee, and reported.

**COPYRIGHTS**

The Act respecting copyrights was discharged.

**LIGHTHOUSES, BUOYS,  
AND BEACONS**

Sir John A. Macdonald's Act relating to lighthouses, buoys and beacons was read a second time, considered in committee, and reported.

**SICK AND DISTRESSED  
MARINERS**

Sir John A. Macdonald's Act respecting the treatment and relief of sick and distressed mariners was read a second time and passed through all its stages.

**FISHING BY FOREIGN VESSELS**

Sir John A. Macdonald's Bill respecting fishing by foreign vessels was read a second time and passed through all its stages.

**INTERNAL ECONOMY OF  
THE HOUSE**

Sir J. A. Macdonald's Bill respecting the internal economy of the House of Commons was read a second time.

**TOBACCO**

Hon. Mr. Howland's Bill for the better securing of the payment of the duty on Canadian manufactured tobacco was read a second time, and ordered for Committee of the Whole on Tuesday.

**SICK AND DISABLED SEAMEN**

Hon. Mr. Rose's Bill respecting sick and disabled seamen and river police was read a second time, on a division, having been strongly opposed by Mr. Blake.

**NORTHERN RAILWAY**

Hon. Mr. Howland's Bill respecting the Northern Railway of Canada was read a second time, passed through Committee, received, read a third time and passed.

The House adjourned at half-past two o'clock.



# HOUSE OF COMMONS

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Tuesday, May 19, 1868

## FORENOON SITTING

The Speaker took the Chair at 11 o'clock.

### PARLIAMENTARY WITNESSES

On motion of **Sir J. A. Macdonald**, the Bill to provide for oaths to witnesses being administered in certain cases for the purposes of either House of Parliament, was read a third time and passed.

### INSURANCE COMPANIES

On motion of **Hon. Mr. Rose**, the House concurred in the resolutions reported from Committee of the Whole providing for the licensing of Insurance Companies doing business in Canada.

**Hon. Mr. Rose** then introduced a Bill respecting Insurance Companies.

**Hon. Mr. Holton** said he must ask the honourable gentleman not to force the House to the consideration of this Bill at this stage of the session.

**Sir John A. Macdonald** said the Government must have this Bill passed if they should sit a fortnight.

**Hon. Mr. Holton** said every form of the House would be invoked to delay the passage of the measure at this stage of the session.

**Hon. Mr. Rose** said there had been every opportunity for discussing the Bill. It had been before the House since the 17th March, and had been discussed in every newspaper of the country.

In reply to **Mr. Mackenzie**,

**Hon. Mr. Holton** said it was impossible to state what amount of deposits would be received, as it would be optional with certain companies to deposit \$50,000 or \$100,000, and as they could not tell what companies would remain in the country to make deposits.

The Bill was ordered for a second reading at the next sitting of the House.

On motion of **Sir J. A. Macdonald**, the House went into Committee of the Whole—**Mr. Mills** in the Chair—on the Bill further to secure the Independence of Parliament.

**Hon. Mr. Holton** said the effect of this Bill would be to repeal the Act of the late Province of Canada, and what would be the result at present? The permanent officers of the Crown in the Provinces cannot hold seats in this Legislature, but the moment this Bill received the Royal assent they could do so, and we should not only have gone back to the old system under which Sheriffs, Registrars, County Attorneys, Clerks of the Peace, Prothonotaries, etc., might hold seats in the House; but we should have dispensed with the old safeguard which we enjoyed before we had any Independence of Parliament Act at all, which sent persons receiving such appointments back to their constituents. The moment this Bill became law it would be possible to appoint any number of members of this House to permanent offices of emolument in the Provinces, without it operating as any disqualification, and without requiring them to go to their constituents.

**Sir John A. Macdonald**—That is the law now without this Bill. So it was decided with reference to the member for Lunenburg.

**Hon. Mr. Holton** said the Minister of Justice had admitted last night that it was more than doubtful whether it was the law now. He had admitted it when he introduced enactments to indemnify the members of the Local Government for sitting in the House. It might be expedient, though he (Mr. Holton) did not admit the expediency of it, that members of the Local Governments might be allowed to sit here, but he could not believe it would be accepted as sound policy by the country that we should not only go back to our old system anterior to the Lafontaine Bill of 1843, but down to a lower depth, whereby we should allow these officers to be appointed by the Crown without even the ceremony of asking the approbation of their constituents. It might perhaps be answered that this Government had nothing to do with these officers. But would honourable gentlemen

venture that statement gravely? Was it not notorious that the Local Governments were controlled by the General Governments? Was it not notorious that the Minister of Militia, as leader of the dominant party in the Province of Quebec, controlled the whole patronage of Quebec at this moment? It was equally notorious that there were at this moment two members of this House awaiting the passage of this Bill and the close of the session to receive two such appointments, one to be Sheriff of the District of Three Rivers, the other to be Prothonotary; and next session we would have a Sheriff and Prothonotary sitting in this House without even (as they must have done thirty years ago) having had to go before their constituents. It was impossible to imagine a more corrupt and corrupting system than the Minister of Justice proposed to introduce by this Bill.

**Hon. Mr. Chauveau**, in reply to the member for Chateauguay, denied that there had been any promise or offer made to any member of the House of an office under the Local Government of Quebec. No decision had yet been arrived at as to filling up the vacancies which had been referred to. He believed that the Government were more indebted to the member for Chateauguay, than to members of the Local Governments, for their strong position in the House. After they had been subjected to a vote by an immense majority, which seemed a vote of want of confidence, the member for Chateauguay came to their relief next day with a motion which enabled a large majority of the House to do away with the effect of the previous vote by voting confidence in them. He and his colleagues had given their opinions independently on all questions that had come before the House. They belonged to the same political party as the Minister of Militia, but in that party they were just as independent as any other member of it. As to seats in this House being occupied by officers of the Local Government, speaking for himself, he did not think that would be at all desirable. He concurred that it would destroy the independence of the Local Government, not only in the House, but with reference to their position towards their own officers. His opinion was that local officers, sheriffs, prothonotaries, etc., should be required to resign their offices before becoming candidates for Parliament.

**Mr. Mackenzie** was glad to find the Premier of Quebec speaking out so positively as he did to the undue influence which would be exerted on the Local Government, by their

[Mr. Holton (Chateauguay).]

subordinates holding seats in this House. It was quite clear that in that case the servants would be above their masters; but the same principle applied to the holding of seats in this House by members of the Local Administrations. The Minister of Militia was well known to be the strongest man in Quebec, and could at any time he chose put an end to Mr. Chauveau's Premiership in the Province of Quebec. Under those circumstances, the honourable gentleman and his colleagues might desire to act independently, but an insensible influence would be exerted over them in their position here which they could not resist. Or take the members of the Local Government of Ontario holding seats in this House, one belonging to the Conservative and two to the Liberal Party. On one or two occasions, the member for Cornwall, with his usual erratic tendencies, had voted with honourable gentlemen on his (Mr. Mackenzie's) side, but how often had the member for Brant voted with his old friends on matters of which he formerly took the same view as they did, and no doubt took the same view still? He was obliged, in consequence of his position, to vote with honourable gentlemen opposite. The members of the Local Governments, on account of their anxiety about the settlement of the accounts of their respective Provinces, were exceedingly afraid to give a vote or say a word that could possibly offend honourable gentlemen opposite. Whatever might be the political views of the members of the Local Governments, the effect of the position they held here was practically to add them to the number of their adherents of the Ministry for the time being. He thought, therefore, the Bill should be framed so as to exclude from the Parliament not only office-holders and dependents, but the members of the Local Governments. He believed the federal principle in our system could never be carried out properly unless the General and Local Legislatures existed independently of each other. Various conflicting questions came up when the House was composed of members of the Local Governments and Local Houses, and of members elected purely for this Parliament; they were not in a position to deal fairly with many measures that came before the House. In what he had said with reference to the members of the Local Governments sitting here, he had no desire to say an unkind word or pass an unkind reflection on any one. What he had alluded to was simply a necessity of their position.

**Hon. Mr. Dunkin** argued that the differences of opinion and interest which the presence of Local Representatives brought into this House was a benefit instead of an injury, rendering the Commons more complete—a better representation of all interests. He contended that the presence in the General Parliament of members of the Local Assemblies aided materially in causing the machinery of legislation and Government to work smoothly. Had there been in the House now representatives from the Local Assemblies of New Brunswick and Nova Scotia, the consequences would have been beneficial in a high degree. As for officers under the Local Governments occupying seats in the Dominion Parliament, it was not to be thought of, and would certainly not be allowed by the Local Legislatures and Governments.

**Hon. Mr. Holton**—Why did you not provide against that during your session?

**Hon. Mr. Dunkin**—Why did we not prop up the sky to save smothering larks? They had had enough to do for the first session certainly, and could not do everything at once. He could not imagine a Local Government allowing its servants to hold seats in the Parliament of the Dominion. He argued that he and his colleagues were not necessarily subservient to the Dominion Government. On account of their having seats here they were political friends of the Minister of Militia, but if he did not also hold office in Quebec he would be far more free to follow the honourable gentleman than he was now. They had to look to the public opinion of their own Province which was a guarantee of their independence. It was no easy task to occupy the double position. It involved an immense amount of labour, which no one would willingly undertake for its own sake; but at the starting of our new political machinery, it was almost absolutely necessary that some gentlemen should occupy that position.

**Mr. Pope** thought there was a great advantage in members of the Local Governments having seats in this House. There was no more reason for excluding from this House a member of a Local Legislature than a member of a County Council. Both were alike elected by the people. Nor did he see why officers of the Local Governments should be excluded. Officers of this Government were excluded because the Government might exercise undue influence over them; but this Government could exercise no undue influence over a member because he was an

officer of a Local Government, and he for one would not consent to restrict in any such way the choice of the people.

**Hon. Mr. Connell** spoke on the Bill, but could not be heard distinctly in the gallery. He was understood to object to the measure as placing in the hands of the Government additional powers—powers unheard of in any other Legislature. Already immense sums of money were placed under the control of the Government, to do as they pleased with it, and now the House was asked still further to increase their influence. It was an objectionable Bill, looked at from that point of view, and still more objectionable, as it was brought down in the closing days of the session, to be hurried through without receiving that consideration which it merited. Some measure to secure the independence of Parliament was undoubtedly a necessity, but he doubted if this was the Bill wanted.

**Dr. Parker** said that the title of the measure was, to his mind, a misnomer. It was not calculated to secure the independence of Parliament, but enabled the Privy Council at any time to tamper with Parliament by giving temporary appointments to members. Foreign commissions and other offices might be created, and in numberless ways the Council would have vast patronage at its disposal. If, as proposed, Sheriffs and Registrars and their factions were admitted into the House, it would lead to splitting up the House into local cliques. He thought that this Bill, as pointed out by the member for West Durham last night, was a retrograde movement, and he would vote against it. Better be without an Independence of Parliament Act altogether than have one which paved the way to the grossest corruption.

**Mr. Blake** said the debate had taken a wide range, but the principle portion of that day's discussion being devoted to the very important political question of the dual seats. By an amendment which he now proposed to offer, he desired to give the House an opportunity of voting specifically on the proposition to restore the Bill to the position of the old Independence of Parliament Act of the late Province of Canada. He wished to exclude the holders of temporary and permanent employment in the public service, and one of his reasons for taking this course was that it had been already sanctioned under the auspices of the leader of the Government, and because he (Mr. Blake) desired now to obtain the Government disaffirmance of that

which had been enacted under the auspices of honourable gentlemen opposite in the late Province of Canada, and under which they had been acting ever since. Before sitting down, he would desire to notice the suggestions made by the Minister of Justice last night to the effect that no one on the Opposition side of the House had answered the argument derived from the rule in the English Parliament. In terms, he (Mr. Blake) had not, it was true, answered that argument; but he had pointed out the same that had occurred in the late Parliament of Canada, when the Minister of Justice and the leader of the Ontario Government had on different occasions preferred against the Government of the day the charge that they were doing that which militated against the Independence of Parliament. Here were grave charges—charges which, coming as they did from the honourable gentleman opposite (Sir John) and from the member for Cornwall—gentlemen occupying a high position in the Legislature—had not, it was to be supposed, been untruthfully, wantonly, or recklessly made—charges such as he believed were not heard recently in England and which, if well founded, showed that, as it were, the people of this country lived in a totally different atmosphere. It was known that members of the English House of Commons were wealthy—that they were men who from their position would scorn a bribe. In Canada the position was in many respects very different, and it was idle to compare the position of a member of that House with that of members of the English House of Commons. It was idle to blink the fact that members of the English House of Commons would look with indifference upon that which would be very tempting to some members in this Parliament. Was it not known that for the paltry patronage of a country for the mere power of distributing tide-waterships and post office employees, the independence of many members had, in time past, been sacrificed. (Hear). He knew no honourable gentleman present could be guilty of this, but owing to the peculiar position of matters it was known that there were some Felixes in the Chamber, and if this were so under the circumstances how much more would it be so when a member could be personally induced by the offer of advantage to himself. It was plain, then, that the only answer attempted by the Minister of Justice was a very feeble one, and one which did not apply. He (Mr. Blake) would move that the 1st clause be amended by inserting after the word “em-

[Mr. Blake (West Durham)]

ployment” in the second line the words, “permanent or temporary,” and by striking out the words “in lieu of an annual salary,” and by inserting after the word “emolument,” the words “or profit of any kind whatever.”

Sir John A. Macdonald did not feel called on to enter into the argument in this case again; but here was one statement made by the member for West Durham against which he (Sir John A. Macdonald) entered his special protest. The honourable member for West Durham did not deny the statement that such an act as he proposed would not be listened to in the English House of Commons. He argued that the law that is good in England would not be good here because the people of the Dominion are more corrupt. That was a statement which he (Sir John) denied. He believed the standard of morality among electors here to be infinitely higher than in England, and he believed, too, that the men returned to that House more truly represented on an average the feelings and interests of their constituents than did members of the English House of Commons, where ancestral influence, corporation influence, and aristocratic influence were to a large extent represented. (Hear). As to his (Sir John's) charges against a former administration, the member for West Durham had not put the case properly. The only charge he (Sir John) brought against that administration was that of improperly withdrawing their political enemies from the House by giving them offices outside of it. He never charged the Government with offering offices to members in order to secure votes in the House. (Hear). The two cases were entirely different. As to the accusations preferred by the honourable member for West Durham he (Sir John) was sure that the honourable member did not mean to cast contumely upon the people or their representatives. The honourable gentleman could not mean to do so. He would be the last of whom that could be expected. He was an honourable gentleman standing too well in Parliament to place himself in the position of giving utterance to statements prejudicial to the character of the people of Canada or their representatives. He (Sir John) merely spoke of the matter in order to show where the argument of the honourable gentleman had landed him, and where it was untenable. In regard to the Provincial Legislatures, it might be right or wrong for the Local Governments to have their representatives in the Dominion Par-



liament; but that had nothing to do with the principle of the Bill, which was within reasonable limits to prevent the independence of Parliament being affected by the Government leading this Parliament.

**Mr. Jones** remarked the difference in the remarks of the Minister of Justice that day and the previous night. On the latter occasion the honourable gentleman expressed himself as holding the opinion that the only two really able representative men in the House were the member for West Durham and the member for Peel. That statement did not agree very well with the remarks just made by the Minister of Justice, and though the other members of the House might not be so able, still at all events they faithfully represented their constituents. (Hear). The comparisons made between honourable gentlemen in that House and those in the English House of Commons were unfortunate and incorrect, and such as he could not at all subscribe to.

**Hon. Mr. Holton** said they all heard a great deal from the Minister of Justice about English practice; but the honourable gentleman ought to be aware that by virtue of the office he now held from the Crown as Minister of Justice, he would himself be ineligible to it, in the English House of Commons. The Crown dominated throughout the Empire, and an officer of the Crown disqualified in England is disqualified by holding a similar appointment abroad, and if that honourable gentleman is ineligible then by purity of reasoning, when the policy of the arrangement was considered, the case against the Government position became much stronger.

**Sir John A. Macdonald** would correct the honourable gentleman in the matter of the disqualification. Judge Haliburton, a pensioned officer, had a seat in the House of Commons.

**Hon. Mr. Holton**—Judge Haliburton could not sit in the Parliament of England or Nova Scotia as a judge. As a pensioned officer his position was very different.

**Sir John A. Macdonald** asked had not the Recorder of London a seat?

**Hon. Mr. Holton** replied that recorders were not officers of the Crown, but officers of the corporation, and paid by them.

**Hon. J. S. Macdonald** argued strongly against extending the Dominion influence so as to withhold a seat in the General Legis-

lature from any person whom the people in any of the Provinces might in their wisdom see fit to send to Parliament. He trusted the Local Governments would be left to put such restrictions on their own people as they might choose to impose on them.

The amendment was lost on a division.

**Mr. Blake** then moved that the 1st clause be amended by inserting after the word "Canada" in the 2nd line, the words "Ontario, Quebec, Nova Scotia and New Brunswick." This would, he explained, make persons holding offices in the nomination of the Crown in the different provinces ineligible to sit or vote. He did not propose to speak to the merits of the question, for there was really no time for discussion.

**Hon. J. H. Cameron (Peel)** rose to correct the statement of the member for Chateauguay in reference to Recorders. These officers were now appointed by the Crown.

**Hon. Mr. Holton**—But paid by the Corporation. There was a good deal of diversity in relation to these officers.

The amendment was lost on a division.

**Mr. Blake** moved that the 1st clause be amended by adding after the word "attached," in the fifth line, "No person hereafter elected or appointed to be a member of the Assembly or Legislature in any of the Provinces of Ontario, Quebec, Nova Scotia or New Brunswick."

**Hon. Mr. Holton** asked if the Government did not intend to make any of the provisions of the Bill applicable to the other branch of Parliament—the Senate.

**Sir John A. Macdonald** said they did not.

**Hon. Mr. Holton** asked whether it was intended that members of the other House should be free to accept all sorts of offices, and enter into every description of contract with the Government?

**Sir John A. Macdonald** said the subject would admit of consideration, but he did not propose to touch the matter in this Bill.

The amendment was lost on a division.

The several clauses were then put and carried.

The Committee rose and reported the Bill, and the report was ordered to be received at the next sitting.

### TRADE MARKS

**Hon. Mr. Langevin** introduced a Bill from the Senate respecting Trade Marks and other industrial designs. Ordered for a second reading next sitting.

**Lost—Yeas, 30; Nays, 66.**

**Yeas**—Messrs. Blake, Bolton, Bourassa, Burpee, Caldwell, Cheval, Coffin, Connell, Currier, Godin, Holton, Johnson, Mackenzie, McCallum, Mills, Morison (Victoria, Ont.), Munroe, Oliver, Parker, Pozer, Redford, Ross (Prince Edward), Rymal, Scatcherd, Snider, Stirton, Wallace, Wells, White, Young—Total 30.

**Nays**—Messrs. Archambeault, Ault, Belerose, Blanchet, Bowell, Bown, Brousseau, Burton, Cameron (Peel), Campbell, Carling, Cartier, Cartwright, Chamberlin, Chauveau, Cimon, Daoust, Desaulnier, Drew, Dufresne, Dunkin, Ferguson, Fortin, Gaucher, Daudet, Gendron, Gray, Grover, Howland, Huot, Irvine, Keeler, Kirkpatrick, Langevin, Langlois, Lapum, Lawson, Little, Macdonald (Cornwall), Macdonald, (Sir J. A., Kingston), McDonald (Middlesex), Magill, Masson (Soulanges), Masson (Terrebonne), McCarthy, McDougall, McGreevey, McMillan, Merritt, Morrison (Niagara), O'Connor, Perry, Pope, Pouliot, Robitaille, Rose, Ross (Champlain), Ross (Dundas), Ryan (Montreal West), Simard, Simpson, Stephenson, Street, Tilley, Wilson, Wood—Total 66.

### RIOTS NEAR PUBLIC BUILDINGS

On motion of **Sir J. A. Macdonald**, the Bill respecting riots near public works was discharged from the orders.

The House, at two o'clock, adjourned till four.

### AFTERNOON SESSION

#### CANADA VINE GROWERS' ASSOCIATION

**Mr. O'Connor's** Bill respecting the Canada Vine Growers' Association having been considered in Committee, was read a third time and passed.

#### G. T. DENISON AND THE "GEORGIAN"

**Mr. Mackenzie** desired, as a member of the Committee, to express his entire dissent from the conclusion arrived at. It was his firm conviction that the Government were not only justified in detaining the vessel, but were bound to detain it. The vessel was bought from the Southern Government, and

passed from the hands of the Confederate agents into those of Denison, and the Government were bound to detain the vessel as being in precisely the same position as the "Rappahannock" in England. As to the amount of damages also, he entirely disagreed from the report. As to the inconveniences to which petitioner had been subjected in connection with him, he had himself to blame. The first step he took on obtaining possession of the vessel was to employ a well known Confederate agent, Lawrence McDonald, to superintend the alterations made on it. If the petitioner acted in good faith—and he (Mr. Mackenzie) would not say he did not—he had himself to blame for the unfortunate position in which he placed himself.

**Hon. J. Sandfield Macdonald** said if he had been in his place at the time he would have objected to power being given to the Committee to make such a report. He held Government responsible for dealing with claims for compensation or damages, and they had no right to shift their responsibility to a Committee of this House.

**Mr. Morrison** said the member for Lambton had not considered it his duty to continue attending the meetings of the Committee, and therefore had not an opportunity of becoming acquainted with all the evidence on which the Committee based their report. The Committee had simply reported on the facts, and as the damages were referred to all through the petition, they had felt it their duty to estimate them. He did not propose, however, to fetter the House or Government in any way by moving the adoption of the report.

**Mr. McCallum**, another member of the Committee, having risen to speak,

**Mr. Speaker** said there was no question before the Chair.

### EVENING SITTING

#### TOBACCO

**Hon. Mr. Howland** moved concurrence in the report from the Committee of the Whole on the Bill for better securing payment of the duty on tobacco manufactured in Canada.

**Mr. Godin** moved an amendment of several clauses in the Bill, the effect of which was to remove the restrictions imposed upon the growth of tobacco in Canada.

**Hon. Mr. Langevin** argued against the amendment at some length. He said the amendment proposed to relieve from duty all tobacco grown in Canada, which would, no doubt, be very desirable if the revenue could afford it. But as revenue was required from tobacco as well as spirits, he hoped the amendment would be voted down. In the course of his remarks he mentioned that while seven million pounds of raw tobacco were imported into Canada, duty was paid only on the manufacture of four million pounds, showing the necessity of increased precautions with reference to the collection of excise on that article. He stated the Minister of Inland Revenue would introduce some amendments which would meet the principle objections which had been urged to the Bill.

The amendment was lost. **Yeas, 7; Nays, 64.**

**Hon. Mr. Howland** moved that the House go back into Committee to make certain amendments, which he read.

**Hon. Mr. Holton** congratulated the member for Joliette (Mr. Godin) on having compelled the Government to go back into Committee to amend the Bill. He warned the House, however, that the amendments were a delusion, and would leave the Bill in all its enormity.

The House went into Committee and adopted the amendments proposed by Mr. Howland.

**Mr. Godin** then moved in amendment that the Bill be referred back to Committee of the Whole, with instructions to amend it, so as to exempt from payment of all duties leaf tobacco grown in Canada.

The amendment was lost—**Yeas, 24; Nays, 68.**

**Mr. Langlois** moved an amendment to reduce the proposed rate of duties one-half. His amendment proposed that the rate of duty to be imposed should be five per cent on raw or leaf tobacco imported, and two and a half per cent on raw or leaf tobacco grown in the Dominion and sold as such.

Lost on a division.

The report being concurred in, the Bill was read a third time.

On motion of **Mr. Bourassa**, the fourth section was amended by adding the word "St. John" after district of Iberville.

The Bill then passed.

99038—48½

## FORGERY

On motion of **Sir J. A. Macdonald**, the Bill respecting forgery, etc., from the Senate, was read a first time.

## DISABLED SEAMEN

The House went into Committee on **Hon. Mr. Rose's** Bill respecting sick and disabled seamen and river police.

The Committee rose and reported the Bill, and the report was received.

On the question for the third reading—

**Mr. Blake**, seconded by **Mr. Mackenzie**, moved that it be not read a third time, but that it be resolved that in the opinion of the House the establishment of the police force in the said Bill mentioned is beyond the competence of the Legislature of Canada; and if within its competence, that it would be inexpedient.

Lost.

The Bill was then read a third time and passed.

## NORTH-WEST NAVIGATION CO.

**Hon. Mr. Rose's** Bill respecting the North-West Navigation Co. was read a second time, passed through Committee, read a third time and passed.

## QUARANTINE AND THE PUBLIC HEALTH

On motion of **Hon. Mr. Langevin**, the House went into Committee on the Act relating to quarantine and the public health.

The Committee rose and reported the Bill with an amendment, which was read a first and second time, and the Bill read a third time and passed.

## RATE OF INTEREST ON MONEY

**Hon. Mr. Rose** moved that the House resolve itself into Committee to consider a resolution declaring it inexpedient to amend the laws regulating the rate of interest on money.

**Messrs. Morris and Dufresne** hoped the Government would not proceed with this measure this session.

**Mr. Mackenzie** also hoped the Government would postpone their measure. It was impossible to consider it at the present stage of the

session. About half the members had left the city, and he was sure none of them expected a measure of such magnitude would be brought up in their absence.

**Mr. Godin**, although desiring strongly a measure on this subject, hoped the Bill would not be pressed.

**Hon. Mr. Dunkin** felt that they had better postpone this important question, but trusted that early next session the Government would take the matter up.

**Mr. Bowell** concurred in the remarks of the member for Brome.

**Hon. Mr. Rose** called attention to the Government promise to the honourable gentleman opposite (Mr. Godin), that they would bring down a measure of their own on the subject; but at that late period of the session, and bearing in mind the views of honourable members, Government did not desire to press this very important measure. It was one which it was necessary there should be a fixed policy, and one concerning which there was much diversity of opinion. Government would have desired the discussion should proceed, but would bow to the wish of the House and withdraw the Bill.

The order was discharged.

#### INSOLVENCY BILL

**Sir J. A. Macdonald** moved the second reading of the Insolvency Bill.

**Mr. Dufresne** objected to the Government proceeding with the measure. It was too important to be discussed at that period of the session. Besides, it was not printed in French.

**Hon. Mr. Holton** asked the Government to withdraw it.

**Sir John A. Macdonald** said that in view of the objection just taken by the member for Montcalm, he could not, if he would, force on the measure. He would move the order to be discharged.

**Mr. Blake** suggested that a number of copies of the Bill should be struck off for distribution, so that ample consideration might be given the measure during the recess.

**Sir John A. Macdonald** said the suggestion was a good one.

The order was discharged.

[Mr. Mackenzie (Lambton).]

#### THE INSURANCE BILL

**Hon. Mr. Rose** moved the second reading of the Insurance Bill.

**Hon. Mr. Holton** hoped the Bill would not be pressed. It was a still newer Bill than the Insolvency measure. It had been only introduced that morning. Some straggling copies only had been distributed at four o'clock that afternoon. This Bill proposed a complete revolution in the whole system of fire and life insurance companies in the country, and so complete a change required an amount of deliberation which was impossible at that period. Again, the Bill raised in the sharpest way that which had been raised before this session, the limit between the General and Provincial Governments. Then the measure had its financial aspects, and if passed, ground would be afforded for the statement that it was primarily a finance measure. Besides, this was the third Bill introduced on the subject this session by the Finance Minister.

**Hon. Mr. Rose** could not agree with the honourable gentleman as to the statement that the measure was revolutionary. What was the fact? The principle of the Bill had been in the statute book for the past eight or nine years—the principle of exacting from insurance companies statements of their affairs, and a deposit as guarantee for their good faith. The Bill merely applies to life insurance companies the same principle that in former years has been applicable to fire insurance companies. As to the charge that three distinct bills had been introduced on the subject, it was unfounded. The Bill had been introduced on the 17th March, certain suggestions made by various persons in the interests of the Insurance Companies and the public had been incorporated into the Bill, and for convenience it had been reprinted, and the third edition, to which the honourable gentleman objected was nothing more or less than the same Bill reprinted, in consequence of an objection of the honourable member for Chateauguay. The Bill had been thoroughly discussed and approved of in the press and the country. The principle of the measure remained unchanged during the three editions. A number of American Companies had been long doing business in Canada whose sole object was to get premiums—companies felt to be unreliable. Why should not the public be protected in this important matter of insurance as well as in banking? As to the opportunity of considering

the Bill, the honourable gentleman and the country had had two months to consider it. It was high time there should be such a change as that proposed by the Bill, for in no country in the world were insurance companies allowed to carry on in the same reckless way as in Canada. In conclusion, he moved the second reading of the Bill.

**Hon. Mr. Holton** contended that the measure was nothing more nor less than a forced loan. As it was impossible to have any serious discussion on the measure at this stage, he could only avail himself of the forms of the House. He, therefore, objected that technically the Bill was not printed—that is, it was not marked as printed on the orders of the House; besides, it was not distributed in the House until 4 o'clock that afternoon, and the French version of the Bill had not yet been fully distributed.

The Speaker sustained the objection, and the item was accordingly passed over.

#### LAW OF COPYRIGHT

On motion of **Hon. Mr. McDougall**, the Bill from the Senate respecting the Law of Copyright was considered in Committee of the Whole, and was read a third time and passed.

#### TRADE MARKS

On motion of **Hon. Mr. Langevin**, the Bill from the Senate respecting Trade Marks was read a second time, considered in Committee, read a third time and passed.

#### EVIDENCE IN CANADA IN CAUSES PENDING ABROAD

On motion of **Sir John A. Macdonald**, the Bill from the Senate as to Evidence in Canada in Causes pending abroad, was read a second time and considered in Committee. Concurrence to-morrow.

#### POLICE OF CANADA

On motion of **Sir J. A. Macdonald**, the Bill from the Senate respecting the Police of Canada, was read a second time and considered in Committee.

**Hon. Mr. Holton** pointed out that there was a money disposition in the Bill which ought not to originate in the other House. It was ordered that an entry be made in the journals guarding the rights of this House.

**Sir J. A. Macdonald** moved the third reading of the Bill.

**Mr. Blake** said he looked on the matters legislated upon in this Bill as not within the competence of this Legislature, but as belonging to the Legislature of the different Provinces. Within the past few days, he believed this House had passed several Acts, provisions of which were in violation of the Constitution. This might occasionally happen in spite of every precaution, but he considered they ought to avoid needlessly multiplying in such cases. He desired to put his views on record by moving the following amendment:—"That the Bill be not read a third time, but that it be resolved that in the opinion of this House, it is not within the competence of the Legislature of Canada to legislate on the matters embraced in this Bill."

**Sir J. A. Macdonald** argued that the Bill was within the competence of this Legislature.

**Hon. Mr. Irvine** thought that in some respects it exceeded the jurisdiction of Dominion legislature.

**Hon. Mr. Dunkin** agreed with Mr. Irvine, and suggested the addition of a clause to reserve the rights of the Local Legislature.

**Sir J. A. Macdonald** agreed to let the third reading stand till to-morrow, to allow time for considering the clause to be framed by Mr. Dunkin.

**Mr. Blake** said he considered the whole measure an ill advised one. If police were wanted on the frontier, they might be provided as part of the militia and defence system. If wanted for the protection of this building, they could be provided as part of the internal economy of Parliament; but if established as proposed in this Bill, it would entail a large expense and would give rise to a constant source of jarring with the Local Government.

#### PROCEDURES OF CRIMINAL CASES

On motion of **Sir J. A. Macdonald**, the Bill respecting procedure of criminal cases was considered in Committee, read a third time, and passed.

#### SUPPLY BILL

**Hon. Mr. Rose** moved the second reading of the Supply Bill.

**Hon. Mr. Holton** said the Finance Minister might congratulate himself on having produced the largest appropriation Bill that had

ever been passed by a Colonial Legislature. He had intended to embrace this opportunity of reviewing the course of legislation during this session since November, but at this somewhat late hour he thought he would refrain from carrying out that intention.

**Mr. Mackenzie** called the attention of the Government to the fact that the grant of \$50,000 for the relief of sufferers by the Quebec fire had never been submitted to Parliament for sanction, or for a Bill of Indemnity.

**Hon. Mr. Rose** said the usual rules in accordance with which a grant in a case of emergency not provided for by Parliament might be made, had been observed in this instance, except that a statement of it had not been laid before Parliament within fifteen days of its assembling. He presumed that the reason of this omission was that no Parliament of the late Province of Canada had assembled afterwards.

**Hon. Mr. Holton** said that up to this day no appropriation had been made to meet that grant.

**Hon. Mr. Rose**, in reply, was understood to say that it was one of the liabilities of the old Province of Canada, which would be divided between Ontario and Quebec.

**Hon. Mr. Holton** contended that the Dominion Parliament inherited all the obligations of the old Parliament of Canada, *quoad* the accountability of public officers, and that indemnity should have been sought from it.

**Mr. Mackenzie** thought that a matter of this importance should not be allowed to pass over with a mere conversation at the end of the session.

The Bill was then read a second time.

**Hon. Mr. Holton** wished a clause inserted with reference to the \$100,000 for unforeseen expenses, that it should only be expended under special Orders-in-Council.

**Hon. Mr. Rose** said that under the Audit Act, it must necessarily be expended under Orders-in-Council, and he would further state on his responsibility that the detailed items of the expenditure would be laid before Parliament within fifteen days of its assembling.

[Mr. Holton (Chateauguay).]

The Bill was then referred to Committee of the Whole, and, on motion of Mr. Rose, an amendment was made to one of the clauses, the purport of which did not reach the gallery.

Third reading to-morrow.

#### PATENTS FOR INVENTIONS

On motion of **Mr. Masson (Soulanges)** the House went into Committee on the Bill to amend Chapter 34 of the Consolidated Statutes of Canada respecting patents of invention.

**Hon. Mr. McDougall** explained the Bill, saying that its provisions were similar to those contained in the Bill which the Government had introduced into the Senate.

**Hon. J. S. Macdonald** said it was the first time he ever knew an attempt of this kind to be made. The Government lost their Bill in the Senate. Now, they introduced it in the Commons, putting it into the hands of a private member.

**Sir John A. Macdonald** said that if the Bill did not pass, every inventor would have to get out three patents instead of one.

**Hon. Mr. McDougall** moved a substitution for the first clause, providing that the Patents Office be attached to the Bureau of Agriculture, and that the Minister of Agriculture should be Commissioner of Patents for the time being.

**Hon. John Sandfield Macdonald** said the whole proceedings were a farce. The Bill was not printed, and it was a private Bill on which they sought to graft the Government measure. He objected to it.

**Hon. Mr. Holton** said that some legislation was required in this direction, though he did not exactly commit himself to the Bill.

**Mr. Mackenzie** had given attention to the Bill, and was disposed to think it was about as good as they could make at this session.

The amendment carried, and the Committee rose and reported the Bill as amended.

On the motion for the reception of the report,

**Hon. J. S. Macdonald** objected that it was a most flagrant violation of the rules of the House, as the Bill just passed through Committee was a substitute, and had never been read to the House. He would therefore insist on the rules being complied with as regarded this measure.

The report was received and the amendment read a first and second time.

On motion for the third reading,

**Hon. John Sandfield Macdonald** again objected.

**Hon. Mr. Holton** also objected to the violation of the rules of this House.

**The Speaker** ruled that the Bill might be read a third time.

**Hon. Mr. Holton** moved the adjournment of the debate.

The point of order having been debated for about an hour, the third reading was fixed for next sitting.

The House adjourned at half-past two o'clock.

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# HOUSE OF COMMONS

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Wednesday, May 20, 1868

The Speaker took the Chair at 11 o'clock.

## BAY OF FUNDY CANAL

**Hon. Mr. Fisher**, in the absence of Mr. Burpee, moved an address for surveys, plans, etc., with reference to the construction of a canal between the Gulf of St. Lawrence and the Bay of Fundy. Carried.

## PATENTS FOR INVENTIONS

On motion of **Hon. Mr. McDougall**, the Bill to amend Chapter 34 Consolidated Statutes of Canada, respecting patents for inventions, was read a third time and passed.

## EVIDENCE IN CANADA AS TO MATTERS PENDING ABROAD

On motion of **Sir J. A. Macdonald**, the Bill in reference to Evidence in Canada in matters pending abroad was read a third time and passed.

## THE INSURANCE BILL

**Hon. Mr. Holton** asked to have the minutes of yesterday read, on the ground that they had not been printed, his object being to prevent the forcing through of the Insurance Bill.

The minutes having been read by the Clerk in English,

**Hon. Mr. Holton** asked that the amendments to the Patents Bill referred to in the minutes should also be read.

**Sir J. A. Macdonald** said the honourable gentleman had no right to make such a demand. He was glad, however, to see him exhibit himself in his true light as an obstructive.

**Hon. Mr. Holton** insisted that the amendments were part of the proceedings of the House and should be read.

The Speaker ruled that the reading of the amendments could not be demanded.

**Hon. Mr. Holton** said he must ask then that the minutes be read in French. He would

state the reason why he took this course. Before the Speaker took the Chair, he (Mr. Holton) crossed the House and asked the leader of the Government and the Minister of Finance, as a matter of convenience and even a matter of favour, that the order for the second reading of the Insurance Bill should be put off till after the 2 o'clock recess. He stated that a question had arisen during the sitting of the House this morning as to the practice and law of Parliament in connection with this Bill, and he wished some leisure after two o'clock to look into the authorities, and that if he found the law and practice of Parliament were against him, he would then withdraw all opposition to the consideration of the Bill. Honourable gentlemen opposite declined that reasonable proposition, and he was, therefore, prepared to avail himself of all the rules formed for the protection of the minority to secure the necessary leisure to examine the point referred to.

**Hon. Mr. Rose** said it was time they understood whether they held their rights by sufferance of the member for Chateauguy. His (Mr. Rose's) self-respect had often been wounded by the manner in which the honourable gentleman had chosen to address himself and his colleagues. He had endeavoured to meet the honourable gentleman in a most conciliatory spirit, but there was a point where conciliation must stop. The course pursued by the honourable gentleman with regard to this Bill had been one of senseless, causeless obstruction. His threat to the members of the Government this morning was such that no one with any sense of self-respect could yield to. He had not asked the postponement as a courtesy, but emphatically in the way of a threat.

**Hon. Mr. Holton**—No! Emphatically no!

**Hon. Mr. Rose** said the leader of the Government and himself had so understood it, and had replied accordingly. They felt bound to resist the honourable gentleman whatever might be his threats to obstruct, annoy and procrastinate.

**Hon. Mr. Holton**—Order! I ask for the reading of the minutes in French. We may have this discussion afterwards.

**Mr. Bellerose**—We have them in French.

**Hon. Mr. Rose** made further remarks saying these proceedings could only delay the prorogation. If they could not prorogue on Friday they could wait till Saturday, and if not on Saturday till Monday, in order that the House might have a fair opportunity of pronouncing on this Bill.

**Sir John A. Macdonald** asked if the member for Chateauguay had not made a threat that he would talk till two o'clock.

**Mr. Mackenzie** said the member for Chateauguay had distinctly stated that he had not threatened, and when an honourable gentleman made such a statement, it ought to be accepted.

**Sir J. A. Macdonald**—There is no such Parliamentary rule.

**Mr. Mackenzie** thought there was. He thought the threatening had been on the part of the gentleman opposite. Only yesterday, the leader of the Government had threatened that this Bill would be forced through if the House should sit a week for the purpose.

**Mr. Bellerose** rose to a question of order, and asked if there was any question before the Chair.

**Mr. Mackenzie** said he could easily put himself in order by moving that the House do now adjourn.

**The Speaker** said he thought the whole of this conversation should cease. He must rule that there was nothing in the rules of the House which entitled an honourable member to ask the minutes to be read in French. He would ask the House to proceed with the order paper.

**Mr. Mackenzie** begged to move that the House do now adjourn, and as a reason for that adjournment urged the necessity of having time to deliberate on the Insurance Bill. He thought it most extraordinary that after the Government had been throwing all sorts of taunts and insults across the House, the moment he rose to reply, one of their supporters should be set up to put him down on a point of order. He had been surprised to hear the Minister of Finance assert that he had met so much obstructiveness at the hands of the member for Chateauguay for the assistance he had rendered in pushing his measure through the House. But it was not obstruction to take measures to prevent one of the most important Bills of the session

from being pushed through in the last hours of the session, when there were scarcely more than fifty members in the city. Honourable gentlemen opposite were not to think that gentlemen on his (Mr. Mackenzie's) side were to be threatened and bullied into subjection. (Cries of "Order.")

**The Speaker** said the words "bullied" and "threatened" were not Parliamentary.

**Mr. Mackenzie** appealed from the Speaker's decision.

The decision was sustained by the House.

**Mr. Mackenzie** hoped after this decision, more chaste language would be heard from the honourable gentlemen opposite, when they got angry. They had hitherto used such expressions with impunity, and it was not until they were used on his (Mr. Mackenzie's) side that they were pronounced out of order.

**The Speaker**—I know unparliamentary language has been used before; but if the point of order had been raised, I would have given the same decision as now.

**Mr. Mackenzie** was glad to hear this admission that language of this kind had been used by gentlemen on the other side. He regretted there should have been such acerbity of temper displayed. There was no occasion for anything of the kind, but he said that honourable gentlemen had a perfect right to resist, by resorting to the ordinary rules of Parliament, this unprecedented attempt to force a measure of this importance through in the closing hours of the session.

**Hon. Mr. Holton** said there was nothing in the matter at all to provoke personal feeling. He had no desire improperly to delay public business; but had used the rules of Parliament in order to secure a proper discussion for a measure of the utmost importance. The action he had taken was designed to throw the whole responsibility of the measure on the Government. That was the position he took, and he was not afraid to take the responsibility of his action. If he could succeed in throwing the measure over this session, he was convinced the House would never see it again in its present state.

**Sir John A. Macdonald** said that no one could impugn the right of the honourable gentleman to take advantage of the rules of Parliament; but the honourable gentleman had no right to declare he would do all in his

power to obstruct the passage of the measure and to speak against time for this purpose. He had no right to get up and say—

**Hon. Mr. Holton**—Order! The honourable gentleman not having taken exception to the language at the moment of its utterance, cannot now refer to it.

**Sir John A. Macdonald** regretted that the discussion had taken this turn. As to the member for Lambton, he (Sir John) had great pleasure in stating, as leader of the House, that that honourable gentleman had, by a strict attention to the rules of the House, extended to the majority in that House all the assistance he conscientiously could, in the discharge of the public business. The honourable member for Chateauguay had also done so frequently, and it was to be regretted that he had not on this occasion pursued a similar course.

**Hon. Mr. Holton** said that the House had been led to believe on Friday last, from the remarks of the Minister of Justice, that the Government would not press this measure, and it being one that he (Mr. Holton) was conscientiously opposed to, he had on this ground and on others, felt bound to use the rules of the House to aid him in his opposition.

**Mr. Mackenzie** said he certainly believed that the Government would not press this measure, owing to the statement of the Minister of Justice alluded to by the member for Chateauguay. True, that statement had been made partly in badinage, but the impression left on the House was that it was an indication that the Government Bill would not be pressed.

**Sir John A. Macdonald** explained that the statement alluded to was merely that, perhaps, he might induce the Finance Minister to postpone this Bill.

**Hon. J. H. Cameron (Peel)** said it was clear from the very beginning that the Finance Minister had resolved to press this Bill. He (Mr. Cameron) was aware of this, because he represented the Western Insurance Companies, and had been in communication with the Finance Minister.

**Mr. Mackenzie** said that in consequence of the changed attitude of Ministers, he would consent to withdraw the motion for adjournment, and would also ask that what had passed about the point of order should not be inserted in the journals of the House.

**Hon. Mr. Holton** said that it would be unnecessary for him to press the matter further, if the Finance Minister postponed advancing the measure till next sitting; and if then it were found that the decision of the House was favourable to the Bill passing its remaining stages on the ground of emergency, he would acquiesce.

**Hon. Mr. Rose** accepted the statement and the motion having been withdrawn, the matter dropped.

### THE GRAND TRUNK

**Mr. Mackenzie** called the attention of the Ministry to a recent statement made by the chairman of the Grand Trunk Company at their meeting in London, that negotiations had been entered into with the Canadian Government for further support to the company, and that the Finance Minister was shortly expected in London, when the matter would be decided. In order to put the matter beyond a doubt, he desired to know whether any negotiations had been opened between the Grand Trunk and the Government.

**Sir John A. Macdonald** replied that no negotiations had been opened between the Grand Trunk and the Government of any kind.

### PATENT BILL

**Mr. Masson (Soulanges)**, moved the third reading of the Patent Bill.

**Mr. Savary** spoke against the Bill as one of too much importance to be rushed through the House in the last stages of session. Besides he had the assurance the other day from a member of the Government, if he understood it, that no such Bill would be passed this session; but, to his great astonishment, not only had a Patent Bill been introduced, but the identical Bill which had already been rejected in the other House. In order to make the Bill more acceptable, he would move that the Bill be referred back, so as to provide that there should be strict reciprocity in the matter of patents, and that no foreigners could come in here and by a mere residence of a year or so obtain a patent.

The amendment was lost.

**Mr. Blake** suggested that the second clause, which was obscurely worded, should be amended.

Agreed.

**Mr. Blake** also called attention to the eighteen months' residence in Canada required for a person taking out a patent, and said he did not see why that limit had been fixed. It seemed to him too short. He thought real residence, and not a temporary expedient, was what should be required.

**Mr. Mackenzie** thought so too, and thought the matter might be remedied by inserting in the 12th clause a few words which would do no harm, and might effect much good. He would suggest the insertion of the words:—"And shall be required to have continued residence therein for one year."

**Hon. Mr. McDougall** preferred to allow the Bill to stand as it was in this particular, and give it a trial.

**Mr. Mackenzie** and **Hon. J. H. Cameron** called attention to the number of farmers swindled by persons going through the country and selling patent rights, which having been mere copies of previous patents, were worthless. It was suggested that the patent should contain on the face of it all the conditions which rendered it void.

**Hon. Mr. McDougall** said he would bear the matter in mind, and confer with the Commissioner of Patents on the subject.

The Bill was then read a third time and passed.

#### SUPPLY BILL

**Hon. Mr. Rose** moved the third reading of the Supply Bill.

**Mr. Mackenzie** said this Bill appropriated the large sum of sixteen million dollars, and had a few words to say on some of the topics which this large appropriation suggested. The Government asked and obtained in the early part of the session a vote of credit, and they had sought to impose this on the House as an excuse for covering every doubtful item in the estimates afterwards, but the principal objection he had to the supplies voiced this year was the manner in which a very large proportion of what was to be the future debt of the country had been created. They had by their legislation this session created the whole of the debt necessary for the Intercolonial Railway, amounting certainly to not less than twenty millions, and it implied a prospective increase of several millions more. If a certain course was adopted with reference to that work, he could not too earnestly impress upon the House and Government the necessity of having that expenditure devoted, not to the interests of any particular section, but towards creating a highway in the most advantageous position, geographically, in the interest of all parts of the Dominion. He had forborne and the people he represented had also forborne interfering to any great extent with the course the Government had sought to pursue in this matter; but he could not help looking with considerable alarm at the indications given from time to time of what might be the possible result of the present consultations regarding the route of the great highway. The two principal matters which ought to be kept in view were the cheapness of construction and shortness of route. Before Parliament reassembled the Government would, in all probability, either lay the foundation for a great and permanent discontent in this matter, or would take measures that would serve to consolidate the new Confederation by the wise and just consideration they would give this subject. In Ontario, the Province which would have to pay more than half the entire outlay on the work, they wanted the shortest route to the ocean, which would give them the choice of ports, if necessary, and enable them to connect with the two great lines now intersecting the Lower Provinces, and reach Saint John or Halifax as they pleased. The people of Ontario and of the whole Dominion would hold the Government strictly responsible for the use they might make of the extraordinary power conferred on them by the vote of this House in the early part of the session—a vote he should never cease to regret, for he considered the House ought not to have abrogated its functions and delegated them wholly to Government. It was true Parliament had done so, but Parliament would meet again, and it would not then do for honourable gentlemen opposite to say: "We have done so and so, and if the House does not like it they can turn us out." This was far too important a matter to be treated in that way. With regard to the fortifications expenditure he also deeply regretted the course pursued by Government. In moving against that course as he did, he fully anticipated that the old cry would be raised against him that he was urging a policy which would have a disastrous effect on our connection with the Mother Country. This had always been the cry against those who ventured to differ from the policy of the Government on the question of defence. He believed, however, the people of the country were fully competent to judge for themselves as to the course which ought

to be pursued in erecting fortifications, or in any other matter affecting the military defences of the country. It was with that view that he moved his amendment, believing then, as he believed now, that the policy which this Parliament was asked to adopt, was one which the Parliament of Great Britain never did, and never would adopt a policy by which the Government were empowered to spend millions of money where, and when, and how they pleased—which was the most extraordinary power every conferred on any Government. He trusted, however, notwithstanding the rejection of his amendment, that when Parliament re-assembled the Government would lay before them the fullest information as to the nature of the works, their extent and location, and that all contracts before being accepted would be submitted to Parliament.

**Dr. Parker**—We will never get the loan guaranteed.

**Mr. Mackenzie** said that was a matter of opinion; but, meanwhile, he would urge upon the Government that they should not use the extensive and extraordinary powers placed in their hands in such a manner as would bring discredit on our representative system of Government. The extraordinary votes that had been given for these purposes would, before all the works were completed for fortifications and railways, impose, beyond all doubt, upon the country an additional burden of from 30 to 40 millions, and he did not choose, even at this late period of the session, to allow the Supply Bill to pass without entering his earnest and solemn protest against the manner in which the Government had sought to conduct our financial affairs, and had obtained exclusive jurisdiction without any reference to the Parliament of the entire expenditure of this enormous sum of money. He had also to complain that while this large amount had been voted for railways and for fortifications, the Government had not sought in any way to put one farthing in the estimates in order to open up the great north-west territory, on which we must depend for acquiring a large population. It might be answered that there was no use asking a vote of money for this purpose until we had succeeded further in our negotiations with the Imperial Government; but, if he read aright the despatch of the Colonial Secretary, the really valuable portion of the territory was open to us at this moment. It was to that territory, and that alone, we could direct a great stream of immigration. It was a matter

in which our national pride was concerned that at this moment the people of the British colony of Red River could only find their way to the seaboard through the United States, while there was a shorter route through our own territory, on which, by taking advantage of the small lakes and rivers, we could make a good macadamized road for \$163,000.

**Hon. Mr. McDougall**—in addition to what has been expended.

**Mr. Mackenzie** said the amount already expended was very small. He regretted that the Government had not sought an appropriation for this purpose. It showed in his opinion, a reckless disregard on their part for what was looked upon by all classes of the community as what ought to be one of the most important matters which could engage our attention.

**Hon. Mr. McDougall** said he should only advert to the latter part of the honourable gentleman's remarks. He did not think the Government were chargeable with that neglect of duty which the honourable gentleman had imputed to them with reference to the North-West. The Government had not, as they hoped to have, obtained authority or control over that country, and had no right to make roads in it beyond the western bounds of Ontario; and, as regarded Ontario, it was no part of the duty of the Government to appropriate money for opening roads in that Province, before they knew what conditions the Hudson's Bay Company might obtain; it would be putting the cart before the horse to ask an appropriation for opening up that territory. Before the first of July, 1867, the Legislature of Canada appropriated \$50,000 out of the Colonization Fund for opening a road west of Thunder Bay, which would not go beyond the bounds of Ontario. Surveys had been made for that expenditure, and there was a condition in the Order-in-Council that if at any future time the Government of the Dominion assumed that work or continued it for national purposes, that appropriation would be repaid to the Province, because the road would then be one of the great highways of the Dominion. He trusted by conference with the Government of Ontario they would be able to go on and finish this road by Dog Lake out of that appropriation of 1867, which he thought would be sufficient for the purpose. As regarded the arrangements with the Hudson's Bay Company, there was an intimation that conditions would be asked which he thought this country should not agree to. Such was his in-

dividual opinion. It would be a matter, however, for discussion, and the Government, he trusted, would act in the interests of the people of Canada, to endeavour to get a satisfactory arrangement.

**Hon. Mr. Holton** made some remarks, contending that the Government had committed a technical error in the course they had pursued on the North-West question. He held they were not in a position to pass the address they did, and that their passing an address which did not state the terms and conditions on which they were willing to take possession of the territory was a violation of the terms of the Union Act. The result had showed he was right, further negotiations with the Hudson's Bay Company and further legislation by the Imperial Parliament being now declared to be necessary.

**Hon. Mr. McDougall** replied, arguing that this Parliament were not required to insert in their address the terms and conditions that would be claimed by the parties against whom they were contending. The two or three terms inserted in the address were all that could fairly be expected at the hands of this Parliament.

The Bill was then read a third time.

#### AFTERNOON SITTING THE NORTH-WEST TERRITORY

**Hon. Mr. Holton** said he had intended at the previous sitting that day that he would ask information from the Minister of Justice on three points. The first had relation to the North-West Territory. He desired to inquire whether any further information than that brought down by message had been received by the Government.

**Sir J. A. Macdonald** replied that since the message had been brought down a telegram had been received from the Imperial authorities on the subject of probable legislation in the Imperial Parliament on the measure. It was not for the interests of the public that either the communication or the answer should be laid before Parliament inasmuch as it might interfere and seriously embarrass the action of the Colonial Minister and the Imperial Government.

**Hon. Mr. Holton**—Then it is expected there will be legislation in the Imperial Parliament in this direction?

**Sir J. A. Macdonald**—It is expected there will be legislation in this direction. That is all I can say.

[Mr. McDougall (Lanark North).]

#### INTERCOLONIAL RAILWAY ROUTE

**Hon. Mr. Holton**—Then regarding the Intercolonial Railway I would like to inquire whether the Government are in a position to indicate the line likely to be adopted and submitted for the approval of the Imperial authorities; and also whether it was the intention of the Dominion Government to appoint commissioners for the railway under the Act passed at an early period last session, before the next meeting of Parliament. At a previous period of the session, the Minister of Justice made a promise that the nomination of the commissioners would be announced to Parliament, before these gentlemen were called in to perform their functions, in order that Parliament might signify its approval or not of the appointments. From the fact that no such appointment had been made during the present session, and that if the announcement should be made to-day the House would not have a fair opportunity of pronouncing on the fitness of the persons appointed—from these things, he inferred that it was not the intention of the honourable gentlemen opposite to advise the appointment of these commissioners until the House met again.

**Sir J. A. Macdonald** replied with regard to the Intercolonial Railway, that the route had not been settled on. The line which the Canadian Government would submit for the approval of the Imperial authorities, would not be determined until Mr. S. Fleming had reported the information required on this subject by the members of the Council. That report was, however, expected shortly, and as soon as it had been obtained, the Government could come to a conclusion as to what was the best time for the construction of the Intercolonial Railroad, and would submit the same to the Imperial authorities. In consequence of the delay which he had alluded to, the Commissioners had not been appointed. At the time the Intercolonial Bill was before Parliament, it was thought this might have been done before the reassembling in March, but this did not turn out to be the case. It would take some time further, though as little as possible to settle definitely this line, to submit it to the Imperial authorities and settle the question connected with the Imperial guarantee. The Government feel they are bound to appoint Commissioners as soon as they possibly can, and if, before Parliament met next winter, Commissioners were appointed, it was understood that these appointments were made subject to the acquiescence of Parliament.

**Mr. Mackenzie**—Who are they to be?

**Sir John A. Macdonald** had not the slightest idea.

**Hon. Mr. Holton** said he could not of course ask the honourable gentleman to communicate the information he had received regarding the line, if such communication would not be to the public interest.

#### APPOINTMENT OF DR. TUPPER

**Hon. Mr. Holton** desired information as to the appointment of Dr. Tupper in the matter of the appeal of Nova Scotia to the Imperial authorities.

**Sir John A. Macdonald** said that at the time of the appointment he had notified the House that the appointment had been made in order that the honourable gentleman should be at hand to give information to the Imperial authorities on the subject treated of in the petition from Nova Scotia regarding severance from the Union. He had no authority of any kind except to be at hand to give such information. Therefore no official communication had been received from him. A few private letters had been received, but of no public consequence.

#### SUPPLY BILL AGAIN

On the **Hon. Mr. Rose's** motion for the third reading of the Supply Bill,

**Mr. Jones** spoke at length on the subject of the acquisition of the North-West as one of the prime objects of Confederation. Nothing of any consequence has been done towards that settlement, and worse still, the little movement that had been made had only resulted in the discomfiture of the Parliament of the Dominion. Whether intentionally or not, deception had been practised on the people of the Dominion, and the only result of the movement in this matter was that they were invited to step into the old shoes of Great Britain on this subject.

**Mr. Blake** said that at a previous sitting he had given it as his opinion that in this question of the annexation of the North-West the Parliament was proceeding a little too fast. Before Government proposed to pass such an address as had been asked at that time, Government ought to have ascertained whether such an address would be acceptable to the Imperial authorities. Then, too, it was understood that there was to be a cession of the whole territory free from the Company's

claim. According to the last dispatch of the Colonial Secretary, it appeared that we are not to get the whole territory, and the claims of the Company are reserved. Again it was said we were to settle our dispute with the Company in our own courts; but it turned out that it was not to be the case. Next it was said the payment was to be a money payment, and that it would be provided for by a guaranteed loan, but it now appeared that that portion of the Governmental programme had also fallen through. Again, it was said there was to be an immediate cession of the territory, but it now appeared that was not to take place till those rights had been recognized. Altogether the whole policy of the Dominion Government had been reversed, and either this Government had a grave cause of quarrel with the Imperial Government, or they had grossly misled the House.

**Dr. Parker** also alluded to the false position assumed by the Dominion Government on this point; a position which had been repudiated by the Imperial authorities. He regretted something had not been done to open up the North-West Territory, or at least to afford correct information as to its resources. At present very little was practically known about that country. It seemed to him that in this, as on other great public questions, the Government had been tried and found wanting. From the day they entered on office to the present time, they had throughout been characterized as a weak, inefficient administration. If the Union was to be maintained, there must be an administration pursuing an essentially difficult financial policy. The members of the Government must not do as the Commissioner for Public Works had done—mislead the House on an important point such as this. That honourable gentleman did not occupy the most satisfactory of positions, and ought to be more careful of his assertions.

**Hon. Mr. McDougall**, in reply to the member for West Durham, said that on all the points alluded to, the action of the Imperial authorities was to be regretted; but were the Dominion Government to blame because the Imperial authorities had not taken the desired action? They were not. The Government of the Dominion was contending for a certain position, and it was not for them to concede what had been asked by the Company. Were the Government of the Dominion to be held responsible for the present failure because they had not recognized the rights of the Company? He thought they had rightly

refused to do so, and it was to be regretted they had not been sustained by the Imperial authorities. The experience of the Government had been that reservations, such as proposed by the Imperial authorities, would act as a bar to the settlement of that region, and therefore the Government were justified and would be justified in protesting against them. All that had been proposed by the Dominion Government had been proposed in good faith and with a desire to open up the territory; and now a grave question arose as to how far the Government of the Dominion pany's propositions, for the purpose of settling should have gone in relation to the Com—the long pending dispute. While the policy of the Hudson's Bay Company would be to make the best bargain they could, it was also the policy of the Dominion Government to see that no such reservation were made as would defeat the whole design of the people and Government of Canada in regard to this territory. As to the remarks about his position in the Cabinet, he would reply that as long as he believed it his duty to remain in the Government, as long as their policy was such as he could approve, he would remain. The great object in view by the Cabinet, the Consolidation of the Union, justified his action, and under such circumstances, whether his conduct pleaded Conservative or Clear Grit, was a matter of indifference to him. So long as the Government honestly carried out their present policy, so long would he honestly, fairly and heartily give them his support, and no longer.

**Hon. Mr. Holton** said that, as an old colleague of his, he would desire to see the Commissioner of Public Works come out from among the honourable gentlemen opposite. (Laughter), the honourable gentleman at the earliest moment separate himself from them, and rehabilitate himself with that great political party of which possibly he yet claimed to be a member. (Hear and laughter). But when they recollected the services the honourable gentleman was doing that party by remaining where he was—(hear)—contrary to the wishes of the supporters of the Government, (hear, hear, no, no), no one on his (Mr. Holton's) side of the House could for a moment think of asking the honourable gentleman to sacrifice his country by leaving office. (Loud laughter).

The Bill was read a third time and passed.

[Mr. McDougall (Lanark North).]

## EVENING SITTING.

### INSURANCE BILL

**Hon. Mr. Rose** moved the second reading of the Bill respecting Insurance Companies.

**Hon. Mr. Holton** said he objected to this Bill—first, because he held that Parliament could not tax insurance companies; secondly, because assuming they had that right, there were provisions which he thought exceedingly objectionable; thirdly, because he regarded it as partaking of the character of a forced loan. He did not think the stockholders of these companies should be compelled to invest in any particular kind of security at par. He did not propose to make a long speech. He thought the time for speech making was past, but he felt it his duty to indicate, however briefly, his objections to the Bill. It was now the only remaining item on the order paper. The Government had declared their fixed purpose to carry it. Having got it where he wanted it, the last item, Government having kept Parliament together for the sole purpose of carrying it, he left the responsibility with them, and did not propose to delay its passage through its remaining stages. As regarded the point of urgency as invoked for putting a measure through several stages at once, he had failed to find in the library a single precedent for so dealing with an ordinary measure. It was only invoked with reference to measures involving the public safety, of these necessary to correct some obvious and manifest defect of the law. In all other cases, the unanimous consent of the House was required for a measure passing through several stages at once. He did not propose, however, to ask the Speaker's decision on this question, but would leave the whole responsibility for the measure to rest upon the Government. He would only remark that the fact that the measure was only to take effect from the 1st August next, was sufficient to dispense of the plea of urgency.

**Mr. Mackenzie**, before the Bill passed, desired to put on record his own conviction of its unsoundness in principle. If there was any matter that peculiarly belongs to Local Legislature it was the business of insurance. As regarded one object the honourable mover professed to have in view, the giving security to those interested in Insurance companies, he did not think the Bill would secure that object. The deposit of \$50,000 was no security for their fulfilment of their liability, which in some cases were very large. A real effective



supervision would be of really more benefit, and legislation in that direction, he thought would very soon be found to be necessary. Moreover, he did not think the subject could be dealt with by the Legislature without a conflict of authority which was by all means to be deprecated. There was an injustice also in drawing a distinction between different classes of Companies, exempting from making a deposit those already incorporated to do business in the separate Provinces. He moved in amendment that the Bill be not now read a second time, but that in the opinion of this House the regulation of Insurance Companies is a subject properly within the jurisdiction of the Provincial Legislature.

**Hon. Mr. Rose** said that he had met the objection, on account of which the amendment was brought, by providing that the deposit should not be required from Companies incorporated by the Legislature of any of the Provinces to do business in that Province alone.

**Mr. Mackenzie** said that a Company might get a charter in each of the four Provinces and thus evade the law.

**Hon. Mr. Rose** thought that was scarcely a supposable case. He had endeavoured so to frame the Bill as to profit by provisions of similar laws in the United States. Each Company was obliged to give a full statement of its assets, amount of its policies, state of its business, the securities in which its funds were invested, etc., and if any honourable gentleman would suggest any additional point on which information should be required, he would be happy to add it. It might be necessary at some future time to establish a more direct suspension of them; but at present he thought the requiring of publicity for their affairs and a reasonable deposit was better security. He would rather place the responsibility on the companies themselves to furnish enough information to satisfy the public than relieve them of the responsibility and place it on the Government.

**Mr. Cartwright** suggested that the returns should classify the policy holders according to age between 20 and 30, between 30 and 40, etc.

**Hon. Mr. Rose** thought it was better to keep the returns as simple as possible, so long as the information was of a nature to afford sufficient security to the public.

**Hon. Mr. Chauveau**, although he would have preferred the matter had been left to the

Local Government, still, as the measure had been amended by the Finance Minister in many important points, he (Mr. Chauveau) did not like to take the responsibility of opposing it.

**Mr. Blake** said that the present Bill, with the important modifications made in it, was really the fourth measure brought down on this subject of insurance. He was extremely rejoiced that the modification was to be made, but he strongly opposed the principle of concurrent jurisdiction contained in this Bill. It was a most dangerous proposition. Besides, the honourable gentleman was not consistent with himself in his modification. How these modifications could be reconciled with the honourable gentleman's ideas of high and holy public interests was more than he (Mr. Blake) could tell. How could the honourable gentleman reconcile it to his conscience to leave the four Provinces entirely unprotected by this measure.

**Hon. J. H. Cameron (Peel)** alluded to the important modification made in this Bill by the Minister of Finance in order to meet the interests of insurance companies and the public. He believed one million dollars would be invested in Dominion stock as the result of the passing of this measure, and protection would be given the insurance companies such as they had never before possessed.

**Hon. Mr. Dunkin** was convinced there were matters connected with insurance within the jurisdiction of that House, though there were other matters decidedly not within their jurisdiction. As the Bill originally stood, it was very objectionable; but it had been so modified by the Government that this great ground of objection had been removed.

**Mr. Mackenzie's** amendment was then put and lost—Yeas, 5; Nays, 44.

**Yeas**—Messrs. Blake, Coffin, Croke, Holton, Mackenzie. Total 5.

**Nays**—Messrs. Bellerose, Benoit, Blanchet, Burton, Cameron (Peel), Campbell, Cartier, Cartwright, Chamberlin, Chauveau, Currier, Daoust, Desaulnier, Dufresne, Dunkin, Fisher, Fortin, Gaucher, Gaudet, Gray, Hagar, Heath, Howland, Huot, Irvine, Johnson, Keeler, Kirkpatrick, Langevin, Lawson, Macdonald (Sir John A.), McDonald (Middlesex), Magill, Masson (Terrebonne), McCarthy, McDougall, Morris, Morrison (Niagara), O'Connor, Robitaille, Rose, Ryan (Kings, N.B.), Simard, Tilley. Total 44.

The Bill was then read a second time, and the House went into Committee on it, Mr. Chamberlin in the Chair.

The Committee rose and reported the Bill.

The amendments were read a first and second time and concurred in, and the Bill was read a third time and passed.

#### FORGERY, PERJURY, ETC.

Sir J. A. Macdonald's Bill respecting Forgery, Perjury and Intimidation, in connection with the Provincial Legislatures and their Acts, was read a second time, passed through Committee with amendments.

The amendments were read and concurred in.

The Bill was then read a third time and passed.

#### CANADA LIVE STOCK INSURANCE CO.

The order for the second reading of the Bill to incorporate the Canada Live Stock Insurance Company was discharged, and the fee therefore of \$100 to be returned, minus the printing expenses.

#### RATE OF INTEREST IN NOVA SCOTIA

Hon. Mr. Campbell moved the second reading of the Bill from the Senate respecting the rate of interest in Nova Scotia.

The Bill was read a second time, and ordered for a third reading on Friday.

Hon. Mr. MacDougall said that he desired to reply to certain charges made by the honourable member for Lambton against a prominent officer of the Board of Public Works—Mr. Page. The speech of the honourable gentleman containing these charges had been very fully reported in a Western newspaper, (*The Globe*) and an article containing strong editorial comments—comments not at all justifiable—followed the speech. As he (Mr. MacD.) had previously stated, he did not feel it his special duty to enter into a defence of all the matters charged by the honourable member, because, in the first place, he (Mr. MacD.) had not personally a knowledge of the details; and secondly, because he was not chief of the officer in question at the time covered by these charges. But on coming into office, knowing no reason to the contrary, he had extended his confidence to Mr. Page, and that confidence, he firmly believed, had not been misplaced. He (Mr. MacD.) had directed that a full explanation of the charges pre-

ferred against that officer should be prepared for submission to Parliament and to the country. He had to-day examined that statement and arrived at the conclusion, in which he believed the House would join, that so far as Mr. Page was concerned, nothing blame-worthy could be laid to his charge. (Hear, hear.) With respect to these public buildings there was much to complain of. There had been many mistakes, and clearly some one was to blame, not only for the adoption of a plan unsuited to our climate, but for the estimates and contracts as originally agreed upon. It was unnecessary for his present purpose to express any opinion as to where the blame lay; but he would say that as far as Mr. Page was concerned, he was not consulted, and had given no advice upon these points. The charges preferred by the honourable member for Lambton, all arose out of sundry changes and alterations made after the buildings were completed. Mr. Page was the Chief Engineer of the Public Works Department. It was no part of his duty to advise upon questions of architecture, but from his high character, acknowledged ability and honesty, the Government had assigned him the duty of coming to Ottawa to superintend the work under the second contract, and to fit the public buildings for the reception of the Legislature. An Order-in-Council was passed giving him additional remuneration for that work. It was against his wishes that this additional and difficult task was imposed upon him; but he felt it his duty to obey the directions of the Government. As the employment was not of Mr. Page's seeking, he (Mr. MacD.) submitted that if there was anything wrong in the matter of additional salary, the Government and not Mr. Page, ought to be blamed. As head of the Department of Public Works, he (Mr. MacD.) felt bound to see that all the subordinates in that Department had fair play, when charged with misconduct. He would not stop to enquire into their history, or the political party they belonged to, but would contend that in every case there should be a hearing and investigation into the specific charges made before Judgment. (Hear, hear.) He would now furnish a specific answer to the several allegations made in the speech of the member for Lambton, and if this did not satisfy the honourable member it would be for him to consider whether he ought not to strike a committee next Session to investigate the matter fully, and to take the opinion of disinterested persons of the requisite professional skill on the points in

dispute. The principle of valuation adopted by Mr. Mackenzie is entirely wrong inasmuch as he has admittedly applied the schedule rates to works of a wholly different and more expensive character than any provided for in the schedule, or embraced in the contract. This statement does not admit of a doubt, as any man of common sense can satisfy himself by the most casual inspection that the elaborate tracery screens across the corridors, and those in front of the retiring rooms and post office, have no type in any class of work to which the contract schedule could with any degree of fairness be applied. Still, Mr. Mackenzie may have thought himself justified in adopting this erroneous method, from his not being familiar with works of this class. But it is difficult, on a like basis, to account for the great difference which exists between the valuation made by Mr. Mackenzie, and the prices actually paid for those items of additional work to which the schedule rates were applicable, and to which they were consequently applied.

In considering the prices fixed for the different pieces of work, it should not be lost sight of that many of them were executed under exceptional circumstances, which, in some cases, enhanced their cost. It is not meant by this that any apology whatever is necessary for the arrangements made; but, that in order to ascertain the fair value of any work, the time and manner in which it was executed has, or ought to have, an important bearing upon the question.

For example—the bulk of the works enumerated in the first account, were only authorized in March, 1866, and had to be fully finished in time for the meeting of Parliament in the early part of May. Indeed it was then anticipated that a meeting might take place as early as the middle of April.

In the latter end of February, 1867, when the alterations necessary to prepare for the reception of the Confederate Parliament, and other works embraced in the second account, were authorized, it was understood that a meeting of the House might take place some time in April, immediately on the arrival of the Delegates from England.

It will thus be seen that in both cases the works had to be proceeded with and pushed on as fast as possible, in order to be completed in due season. In the first instance (1866) the contractor was then actively engaged in carrying out the works embraced in his contract, and the order for additional work necessitated his making great exertions to

obtain a sufficient number of a proper class of workmen, and in some cases night work had to be resorted to. Mr. MacDougall remarked, in conclusion, that it was evident from these details that the member for Lambton had made but a very cursory examination of the subject on which he had spoken so positively, and he advised the honourable gentleman to be more careful in future—to be sure of his information—before he ventured to assail a public officer, whose reputation for honesty and devotion to duty in most difficult and responsible positions, had never been questioned. (Hear, hear.)

**Mr. Mackenzie** replied at some length, examining the answers made in his statement *seriatim*, and asserting that the explanations did not in the slightest degree affect the correctness of his statement, that the works alluded to had been paid for at most extravagant rates. He added, that in the first week of next session, he would move for a Committee, before whom he was prepared to substantiate all the charges he had brought, and a great deal more. (Mr. Mackenzie's reply will also be sent by mail to accompany the statement submitted by Mr. MacDougall.)

**Sir J. A. Macdonald** moved that the House adjourn until Friday at 11 o'clock.

#### MORE PAY FOR VOLUNTEER OFFICERS

**Hon. Mr. Holton** asked what would be the business for Friday.

**Sir G. E. Cartier** said an address would be moved to place at the disposal of the Government an additional \$10,000 to enable the Government to pay the officers of volunteer militia during this year, until Parliament re-assembled, 50 cents per day additional to what was provided in the Bill which had passed both Houses. A message would be brought down giving the consent of the Crown to the address.

**Mr. Mackenzie** said this seemed to him a most extraordinary proposition. The motions which had been carried against the Minister of Militia had saved several thousands of dollars, quite enough to obviate any necessity for applying for an additional sum of \$10,000.

**Sir John A. Macdonald** said it had been felt that it was a degradation to make officers receive by Act of Parliament simply the same rate as privates, and in order to remove that natural feeling the Minister of Militia simply desired to ask the House to allow that during

the sixteen days drill the officers should get one dollar instead of 50¢ per day. No portion of the money already voted would of course go to this additional grant.

**Hon. Mr. Holton** said the duty of the Minister of Militia in moving a vote of want of confidence in himself, which he had just done, was a most disagreeable and humiliating one, and was fitly postponed till the last moment after four-fifths of the members had left, with the full understanding that there was no more business on the order papers. The honourable gentleman had carried the scheme through the House in its integrity, and yet he now comes down and says that on Friday next he wants a revision of the Bill.

[Sir John A. Macdonald (Kingston).]

**Mr. Chamberlin** thought the honourable gentleman ought to thank the Minister of Militia for what he proposed to do.

**Mr. Blake** did not think so, and felt that the change about to be made was one a full House would not have sanctioned.

**Dr. Parker** said it was most unfair that the Government should deal in this way with the House. The Government proceeding was most improper and unjustifiable.

**Sir G. E. Cartier** gave notice of his resolution.

The House adjourned at a quarter to 12 o'clock, till 11 a.m. on Friday.

# HOUSE OF COMMONS

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Friday, May 22, 1868

## FORENOON SITTING

The Speaker took the Chair at 11 o'clock.

## MEMBERS PRESENT

Twenty-three members were present besides the Speaker, namely: Sir John A. Macdonald, Sir George Cartier, Messrs. Tilley, McDougall, Langevin, J. H. Cameron, Gray, Kirkpatrick, Chauveau, Dunkin, Grant, Currier, A. Morrison, Simpson, Fortin, Shanly, Simard, Wright, Burton, Savary, Heath, Campbell, and Fisher.

## PAY OF VOLUNTEER OFFICERS

Sir G. E. Cartier, with reference to the notice of motion he has given for an additional appropriation of ten thousand dollars to pay the volunteer officers one dollar, instead of fifty cents for each day's drill, said the Government had ascertained that the militia appropriation already made was sufficient to pay this additional fifty cents, without asking a special appropriation. He would not, therefore, move for the address.

Mr. Savary expressed his regret that the amount to be paid to volunteer officers was still so small.

## RATE OF INTEREST IN NOVA SCOTIA

The orders of the day being read,

For second reading the Bill from the Senate relating to the rate of interest in Nova Scotia, Mr. Campbell, who had charge of the Bill, did not proceed with it.

Sir John A. Macdonald announced that His Excellency would come down to prorogue Parliament at two o'clock.

The House then adjourned till a quarter to two.

At two o'clock p.m. His Excellency the Governor-General proceeded in state to the Chamber of the Senate, in the Parliament Buildings. The members of Senate being as-

sembled, His Excellency was pleased to command the attendance of the House of Commons, and that House being present, the following Bills were assented to in Her Majesty's name by His Excellency the Governor-General, viz:—

Act to define privileges, immunities and powers of the Senate and House of Commons, and to give summary protection to persons employed in the publication of Parliamentary papers.

Act providing for the organization of the Department of Secretary of State for Canada, and for the management of Indian and Ordnance lands.

Act respecting currency.

Act respecting inquiries concerning public matters.

Act to regulate and restrict contingent charges in the departments of public service, and to establish a stationery office.

Act respecting commissions and oaths of allegiance and offices.

Act for continuing the Parliament of Canada in case of the demise of the Crown.

Act respecting security to be given by officers in Canada.

Act to enable Her Majesty to provide for the widow and children of the late Hon. T. D. McGee.

Act for the organization of Department of Marine and Fisheries of Canada.

Act respecting accessories and abettors of indictable offences.

Act to authorize the carrying of gas pipes across the river Niagara, in order to facilitate the lighting of the town of Clifton with gas.

Act to incorporate Clifton Suspension Bridge Co.

Act to amend Acts relating to Niagara District Bank.

Act respecting Department of Justice.

Act to amend an Act entitled an Act respecting the Statutes of Canada.

Act to enable banks in any part of Canada to use notes of the Dominion instead of using notes of their own.

Act respecting aliens and naturalization.

Act to confirm the amalgamation of the Commercial Bank of Canada and Merchants' Bank, and to amend and consolidate Acts of incorporation of said Banks.

Act respecting the Navigation of the Canadian waters.

Act respecting the Geological Survey of Canada.

Act respecting penitentiaries and directors thereof and for other purposes.

Act to impose a duty on foreign reprints of British Copyright Works.

Act respecting the inspection of Steamboats and for greater safety to passengers by them.

Act respecting Consolidated Revenue Fund.

Act constituting the Department of Inland Revenue.

Act constituting the Department of Customs.

Act to annex a portion of the Seigniorship of Belair to the County of Quebec, and another portion thereof to the County of Portneuf.

Act for the better security of Crown and Government.

Act respecting persons in custody charged with High Treason or Felony.

Act respecting the Civil Service of Canada.

Act for the organization of the Department of Agriculture.

Act to confirm a certain By-law passed by the directors of Lake Memphremagog Navigation Co., and for other purposes.

Act to incorporate the Canada Shipping Company.

Act to declare certain persons therein mentioned indemnified for having sat and voted as members of the House of Commons, while holding certain offices under the Crown.

Act to incorporate the Merchants' Express Co., Dominion of Canada.

Act respecting Riots and Riotous Assemblies.

Act to amend the Act to provide for the Improvement and Management of the Harbour of Quebec, and Act amending same.

Act to make provision for defraying the expenses of certain works and fortifications required for the defence of the Dominion.

Act respecting Governor-General, Civil List, and salaries of certain public functionaries.

Act to amend Acts relating to the Canada West Farmers' Mutual and Stock Insurance

Co., and to change the name of the Co. to Canada Farmers' Mutual Insurance Co.

Act to increase excise duty on spirits, to impose excise duty on refined petroleum, and provide for inspection thereof.

Act respecting militia and defence of the Dominion of Canada.

Act to provide for oaths to witnesses being administered in certain cases for purposes of either House of Parliament.

Act to incorporate the Canadian Lake Underwriters' Association.

Act respecting the internal economy of the House of Commons and for other purposes.

Act for regulation of fishing and protection of fisheries.

Act respecting Northern Railway of Canada.

Act relating to lighthouses, buoys and beacons.

Act respecting treatment and relief of sick and distressed mariners.

Act respecting certain penalties in respect of stamp duties.

Act respecting Canada Vine Growers' Association.

Act respecting the Police of Canada.

Act for further securing the independence of Parliament.

Act relating to quarantine and public health.

Act respecting fishing by foreign vessels.

Act respecting the manufacture or importation of copper coins or tokens.

Act to incorporate the Stratford Board of Trade.

Act to amend an Act of the present session entitled, "Act imposing duties of Customs with the Tariff of duties payable under it."

Act to incorporate the Bank of Agriculture.

Act to continue for a limited time several Acts therein mentioned.

Act respecting the commencement of certain Acts of this session therein mentioned.

Act for better securing the payment of the duty imposed on Tobacco manufactured in Canada.

Act respecting Railways.

Act to amend an Act for the incorporation of the North-West Navigation and Railway Company.

Act respecting copyrights.

Act respecting Trade Marks and Industrial Designs.

Act respecting Harbour Police.

Act respecting Insurance Companies.

Act respecting forgery, perjury, and intimidation in connection with the Provincial Legislatures and Their Acts.

Act to provide for taking evidence in Canada in relation to civil and commercial matters pending before Courts of Justice in any other of Her Majesty's dominions, or before foreign tribunals.

After which His Excellency was pleased to reserve the following Bills for the signification of Her Majesty's pleasure thereon.

An Act respecting treaty between Her Majesty and the United States of America for the apprehension and surrender of certain offenders.

An Act to fix the salary of the Governor-General.

An Act for the relief of James Frederick Whiteaves.

The Hon. Speaker of the House of Commons addressed His Excellency the Governor-General as follows:—

May it please Your Excellency,

The Commons of Canada have voted the supplies required to enable our Government to defray the expenses of the public service. In the name of the Commons I present to Your Excellency a Bill intitled—"An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial years ending respectively the 30th day of June, 1868 and 30th day of June, 1869, and for other purposes relating to the Public Service," to which I humbly request Your Excellency's assent.

To this Bill the Royal assent was signified in the following words:—In Her Majesty's

name His Excellency, the Governor-General, thanks Her loyal subjects, and accepts their benevolence, and assents to this Bill.

After which His Excellency, the Governor-General was pleased to close the first Session of the first Parliament of the Dominion with the following Speech:—

Honourable Gentlemen of the Senate,  
Gentlemen of the House of Commons:—

I am glad to be enabled to release you from further attendance to your duties in Parliament. The Acts which you have passed for remodelling the Militia force of the Dominion and securing the defence of your territory will, I trust, accomplish the objects which you desire to obtain. I hope the measures which have been adopted for regulating the fiscal system of the Dominion will tend to the promotion of commercial enterprise and to the stability of the public credit. I congratulate you on the passage of Acts by which the Executive Departments of the Dominion have been organized, and their efficiency provided for. I must express my regret that the measures for the assimilation of the criminal law of the several Provinces of the Dominion, which were submitted by my direction to Parliament, have not been presented for the sanction of the Crown.

Gentlemen of the House of Commons:—

I thank you for the provision you have made for the public service, and I am satisfied it will be applied with due regard to efficiency and economy.  
Honourable Gentlemen and Gentlemen:—

I rejoice that I am in a position to congratulate you on the general prosperity which prevails throughout the Dominion, and I feel assured on your return to your homes you will exert yourself in promoting obedience to the laws, and inculcating attachment to the free institutions under which it is your happiness to live.

The Speaker of the Senate then said:—

Honourable Gentlemen of the Senate and of the House of Commons:—

It is His Excellency the Governor-General's wish and pleasure that this Parliament be prorogued until Wednesday, first day of July next, to be here held, and this Parliament is accordingly prorogued until Wednesday, 1st day of July next.





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**Abbreviations:** 1r., 2r., 3r., first, second, third reading. Amdt. = amendment.  
Com. = committee. Intro. = introduction. M = motion. N =  
notice. qu. = question on notice. Res. = resolution. R.A.  
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