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DEBATES AND PROCEEDINGS

OF THE

SENATE OF CANADA

IN THE

Second Session of the Second Parliament

OF THE

DOMINION OF CANADA.



Ottawa:

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1878.

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DEBATES AND PROCEEDINGS
OF THE
SENATE OF CANADA,
IN THE
SECOND SESSION OF THE SECOND PARLIAMENT OF THE
DOMINION OF CANADA WHICH WAS CALLED TO MEET, FOR
THE DESPATCH OF BUSINESS, ON THURSDAY, 23RD OCTOBER,
A.D., 1873, IN THE 37TH YEAR OF THE REIGN OF HER MA-
JESTY QUEEN VICTORIA.

THE SENATE.

OTTAWA, Thursday, 23rd October, 1873.

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

SPEECH FROM THE THRONE.

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

In accordance with the intimation given

by me at the close of last Session, I have caused Parliament to be summoned at the earliest moment after the receipt of the Report of the Commissioners appointed by me to enquire into certain matters connected with the Canadian Pacific Railway.

The evidence obtained under the Commission deserves careful consideration. The Report will be laid before Parliament, and it will be for you then to determine whether it can be of any assistance to you.

A Bill for the Consolidation and Amendment of the Laws in force in the several Provinces relating to the representation of the people in Parliament will again be submitted to you. By the postponement of this measure from last Session you will have the advantage of including in its provisions the Province of Prince Edward Island, now happily united to Canada.

The Canadian Pacific Railway Company, to whom a Royal Charter was granted, have, I regret to say, been unable to make the financial

arrangements necessary for the construction of that great undertaking. They have therefore executed a surrender of their Charter which has been accepted by me.

You will, I trust, feel yourselves called upon to take steps to secure the early commencement and vigorous prosecution of the construction of that Railway, and thus to carry out, in good faith, the arrangement made with the Province of British Columbia. A measure for this purpose will be submitted for your consideration.

The extension of the bounds of the Dominion has caused a corresponding increase in the work of administration, and seems to call for additional assistance in Parliament as well as in Executive Government. A Bill on this subject will be laid before you.

Your attention will be invited to the consideration of a Bill for the establishment of a General Court of Appeal.

Measures relating to our navigable waters and to the Inspection Laws, will be laid before you; as also a Bill for the establishment of a Dominion Board of Agriculture.

The subject of the law relating to insolvency will necessarily engage your attention.

The efforts made by theseveral Provinces, as well as by the Dominion, to encourage immigration, have met with success, and a large number of valuable settlers has been added to our population. I do not doubt that you will continue your liberal aid to this important object.

Gentlemen of the House of Commons,—

I have directed that the accounts of the past financial year be laid before you. The prosperous condition of our finances continues, and the revenue has been sufficient to meet all charges upon it.

The estimates for the ensuing year will be laid before you. They have been prepared with due regard to economy as well as to the efficiency of the public service; and I trust that the supplies which are necessary, will be granted without inconvenience to the people.

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

Your best attention will, I doubt not, be devoted to the important interests committed to your charge, and I am confident that your deliberations will redound to the advantage and prosperity of the country.

After some formal motions the House adjourned until 3 o'clock on Monday.

MONDAY, Oct. 27th, 1873.

The SPEAKER took the chair at three o'clock and announced that the Senator

who had been recently appointed was ready to take his place.

The Hon. THOMAS HEATH HAVILLAND, of Prince Edward Island, was then introduced by the Hon. Mr. Campbell and the Hon. Mr. Dickey, and having taken the prescribed oath was conducted to his seat.

ADDRESS TO HIS EXCELLENCY.

The SPEAKER said the first business to come before the Senate was the consideration of His Excellency's Speech, on the opening of this Session.

Hon. Mr. ALEXANDER rose to move that the Address which had been prepared in answer to the Speech from the Throne be adopted. He need not say that he rose with more than ordinary pleasure, and he craved the indulgence of the House, although he could not do so on the score that he was unaccustomed to address them. He could not but remember that the Legislative Councils of the Senate of this Dominion, and its debates, had ever been characterised by a calm and temperate spirit; and he trusted that no expression would fall from him on that occasion that would be calculated to disturb the good feeling and friendly understanding that had ever prevailed. While the political waters were somewhat troubled and ruffled, he hoped it would not be considered a digression, or contrary to Parliamentary usage, if he should attempt to review the present actual condition of some of our leading material interests. He thought it must be cause for rejoicing with all parties, and a very satisfactory thing to the people, that their material condition generally throughout the Dominion is in a very satisfactory state, indeed. It must be gratifying to the Legislature to observe all classes rising in position, comfort and affluence. It was not only the agricultural population that gave abundant evidence of this success. That evidence was given in their improved homesteads, and it was seen in the cities and villages, both by increased trade and fine buildings. But of all things which must be gratifying to the Legislature of this country, it was to observe the large number of new manufacturing industries that were springing up all over the country, giving full employment to a large and ever increasing population—so much so that it was often very difficult to obtain hands for ordinary work. It was deeply interesting to see the great growth of wealth in the country. Whether they looked at Bank stocks, or

commerce, or manufacturing industries, it was found that there was much more money invested than at any previous time in the history of the country. On a recent occasion when the neighbouring republic, whose people were distinguished for their sagacity and shrewdness, got into a financial difficulty, a panic was the result, and confidence was shaken in every direction, but he was thankful to say that either the law regulating the monetary system of Canada was better, or our bankers were less given to speculation, but at any rate little more was known of that panic in Canada than what was read here in the public press. It was also a matter for congratulation that they could not point to a country where the laws had been more carefully framed or better adapted to the wants of the population. There was no country where civil and criminal law could be administered more fairly for the security of life and property. He was sure under these circumstances that the reference which His Excellency had made to the establishment of a general Court of Appeal would meet with the approval of the House. There was one observation that he would like to make, and that was, that the revenue of the country was quite equal to the expense of the country. The public finances were in a healthy state, notwithstanding the cost of defence, and the large sums that were being spent on public works, besides the expense of surveys of new projected railways. It should also be remembered that the duty was taken off tea to a large extent, so that he thought they had reasons to be very thankful that they were in such a good financial position. Then again, the means of communication by water and rail, were yearly increasing, and in his opinion there was no country on the face of the earth that was more likely to flourish than Canada. The farmer, or the private citizen had to pay but a small tax, and there was very little direct taxation, while the customs duties were not one-half, in fact little more than a third of what was paid in the United States. It was not wonderful then that the people were happy and contented, and well satisfied that they had cast their lot in a country such as Canada is now and is likely to become. There was one other paragraph to which he wished to refer, and that was in reference to the Canadian Pacific Railway Company, to whom a charter had been granted, and who had been unable to make the financial arrangements neces-

sary for the construction of that great undertaking, in consequence of which they had executed a surrender of their charter. He felt sure that the Chamber would carefully consider any measure that might be brought forward for the accomplishment of this great work. He was glad to see that there was an intention to amend the representation, and he rejoiced that Prince Edward's Island had come into the Dominion. He had no doubt that in that section of the country the manufacturing industry and the value of property would increase as they had in the older portions of the Dominion. With regard to the past, clouds had arisen in the horizon, but they had disappeared, and all that looked like dimming the clear light that shone over the country would also vanish yet. He rejoiced in the growing feeling of confidence in the Central Government. Fairness and justice to the most distant part of the Dominion would be extended as readily as the most central. He looked upon that as the opinion of the whole legislature, and as there were certain young members of the family who required more fostering than those of older growth, they ought to deal with a liberal hand to the younger provinces in securing for them all the advantages of railway communication and everything else which the older provinces already enjoyed. He concluded by moving the address, and resumed his seat amid applause.

Hon. Mr. MONTGOMERY rose to second the motion, and said he felt a great deal embarrassed in rising to address the Senate for the first time. The first paragraph in the Speech, it was not his intention to remark upon, as it was a matter which originated before the admission of Prince Edward Island. The second paragraph was one in which he felt an interest, and he trusted that the union which had taken place, would be a profitable one to Prince Edward Island, as he had no doubt it would. In his opinion the Dominion of Canada was not complete without it, because it was the key to the Gulf of St. Lawrence. It had the materials within itself to make it great, and being united with the other Provinces it would have greater facilities for development. He trusted the day was not far distant when Prince Edward Island would not only be in the Dominion of Canada, but when it would become a great nation. The resources of Canada were very great, and when properly developed, this country would be the greatest nation in the world. The other part of the speech had reference to docu-

ments of which he would make no further reference than to say they would receive due consideration upon their merits when they came before the House. He had much pleasure in seconding the address, in reply to the speech of His Excellency, at the opening of the present session.

The Speaker was about to read the following address, but the House decided to take it as read :

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

“ To His Excellency the Right Honorable Sir Frederic Temple Earl of Dufferin, Viscount and Baron Clandeboye of Clandeboye, in the County Down, in the Peerage of the United Kingdom Baron Dufferin and Clandeboye of Ballyleidy and Killeleagh in the County Down, in the Peerage of Ireland, and a Baronet, Knight of the Most Illustrious Order of St. Patrick and Knight Commander of the Most Honorable Order of the Bath, Governor General of Canada, and Vice Admiral of the same.

May it please Your Excellency—

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

“ We thank Your Excellency for having in accordance with the intimation given by Your Excellency at the close of last Session, caused Parliament to be summoned at the earliest moment after the receipt of the Report of the Commissioners appointed by Your Excellency, to inquire into certain matters connected with the Canadian Pacific Railway

“ We are grateful to Your Excellency for the intimation that the Report will be laid before Parliament, and we shall not fail to give to the evidence obtained under the Commission our careful consideration.

“ Our careful attention will also be given to the Bill for the Consolidation and Amendment of the Laws in force in the several Provinces relating to the representation of the people in Parliament, which your Excellency is pleased to say will again be submitted to both Houses.—And we rejoice to think that by the postponement of this measure from last Session, Parliament will have the advantage of including in its provisions the Province of Prince

Edward Island, now happily united to Canada.

“ The Canadian Pacific Railway Company, having been unable to make the financial arrangements necessary for the construction of that great undertaking, and having executed a surrender of their charter which has been accepted by your Excellency, we agree with your Excellency that Parliament is called upon to take steps to secure the early commencement and vigorous prosecution of the construction of that Railway, and thus to carry out in good faith, the arrangement made with the Province of British Columbia. Our best attention will accordingly be given to the measure for that purpose, which your Excellency is pleased to say will be submitted to both Houses.

“ Your Excellency having been pleased to observe that the extension of the bounds of the Dominion has caused a corresponding increase in the work of administration, and seem to call for additional assistance in Parliament as well as in Executive Government, and to intimate a Bill on this subject will be laid before us, we beg leave to assure your Excellency that such Bill shall receive our earnest and careful consideration.

“ We thank your Excellency for informing us that our attention will be invited to the consideration of a Bill for the establishment of a General Court of Appeal, and we shall not fail to give it our best consideration.

“ We shall also carefully consider the several Measures relating to our navigable waters, and to the Inspection Laws, and for the establishment of a Dominion Board of Agriculture, which may be laid before us in pursuance of Your Excellency's gracious intimation to that effect.

“ We agree with Your Excellency that the subject of law relating to insolvency will necessarily engage our attention.

“ We rejoice at being informed by Your Excellency that the efforts made by the several Provinces, as well as by the Dominion, to encourage immigration, have met with success, and a large number of valuable settlers has been added to our population, and we shall be prepared to concur in continuing liberal aid to this important object.

“ We are grateful to Your Excellency for not doubting that our best attention will be devoted to the important interests committed to our charge, and for being confident that our deliberation will redound to the advantage and prosperity of the country.”

Hon. Mr. LETELLIER DE ST. JUST said he need scarcely inform the House

that according to a rule that had been established by use, no motion on the speech ever came from the side of the House on which he was now sitting. But there was a paragraph in the speech to which no allusion had been made and which he thought most important. He referred to the first paragraph. His intention was not to question in any way anything that had been done by the Governor General under the advice of his responsible advisers, for all his acts must be according to that advice. He acted according to the advice of those who were counselling him at the time, and if anything was accomplished in accordance with that advice, they were responsible for it. In the first paragraph of the speech it was stated that His Excellency had caused Parliament to be summoned at the earliest moment after the receipt of the report of the Commissioners appointed to inquire into certain matters connected with the Canadian Pacific Railway. Now, as he had already said, no allusion had been made one way or other by the mover or seconder of the Address, having reference to this matter. And to approach this subject it must be approached in a calm and cool way. Now, he held that they had a right to know what were the reasons that brought the Crown to decide in such a way. No such reason had been given. Now, if the House was to be convinced, how was it that the reason had not been given by the mover or seconder of the Address, when on the table of the House, State Papers had been put on the table, and put into the hands of the members, and papers in reference to the Pacific Scandal. Now, if it were necessary to place these papers on the table, they had a right that something in reference to these despatches should have been said, to tell them why these despatches had been brought at so early a date. They were told that the Oaths Bill had been disallowed by the Home Government, and the reasons given in the despatches were that when the British North America Act was passed, the powers that were then enjoined were the same as exercised by the Commons of Great Britain, but he could not understand when the authorities on this side of the water had been advised that this was one of the rights of this Parliament, why the Home Government should disallow the bill. As British subjects the people of Canada claimed equal rights with other subjects of Her Majesty. The Oaths Bill was disallowed. What was the reason? If it were on a question of

law, the men on this side of the water were as well able to decide such a question as those in England. The fact was that an arrangement which had been made by a branch of the Canadian Legislature was brought to a standstill by the interference of British authority. The consequence of this was that the investigation which was to take place before a Committee of the House of Commons, was stopped. The next thing that was done to procure the information desired in reference to the charges made was to take the matter out of the hands of the people who had a right to decide upon it, and appoint a Royal Commission, so that through that Royal Commission the charges might be investigated. He made no objection to the hon. gentlemen who formed that Commission, but he held that the Ministry had no right to take the matter out of the hands of the Parliament. That Commission was appointed under the advice of the responsible advisers of the Governor General, and the evidence was taken before the Commission, and what was the result? The first day that they were summoned to meet, it was placed on the table. Now did the evidence show that the charges were untrue, or unsustained? Quite the contrary. They saw by that report that the responsible Ministers of the Crown had been obliged to declare on oath that they had taken large sums of money from Sir Hugh Allan which they spent right and left to corrupt the constituencies of the country. It was proved that the late Sir George Cartier was sent by his chief to Montreal to know whether he could get the money from Sir Hugh Allan, and the letters signed by Sir Hugh Allan himself showed that he was in association with men in America, and the Government must have been aware of it at the time. Means had been tried to shelter those who were implicated in this matter, but it could not be done, for the correspondence which had been brought before the committee, and sworn to by Sir Hugh Allan, put an end to any such shelter being afforded. It proved that Sir Hugh Allan had put himself in a position to secure the contract from the Government. The late Sir George Cartier went to Montreal, and had some conversation with Sir Hugh Allan, and he got \$37,000, while Sir John A. Macdonald got \$60,000; Mr. Langevin got \$35,000 for electioneering purposes. Sir George E. Cartier got that large sum which was placed in the hands of the Central Committee at Montreal; and this was sustained, not only by the evidence of

Sir Hugh Allan, but by the evidence of Mr. Langevin, the Hon. Minister of Public Works. And where such evidence was given, he asked was it fair to come to that House without a word being spoken about it. He could not understand how his friend, who had been his colleague for so many years, could have passed over in silence those matters when he was charged to make a speech in answer to the address from the throne. He could understand how his new colleague from Prince Edward Island did not refer to them. He could very well abstain from doing what he felt it would not be right for him to do, but his friend on the other side (Hon. Mr. MacKenzie) had no similar reason to induce him to maintain such a silence on these topics. What did they hear all over the country in reference to the Pacific Scandal? Nothing but one general condemnation. There was an allowance for the feeling that was outside, but they must try and divest the matter of the feeling that had been cherished for such a length of time. Still they must get at the truth and see that what was black was really black, and what was wrong and evil could not be good. They saw in the press of England a condemnation of a most significant character, and that was sufficient proof that the whole world condemned the acts of the Government. Outside this country an unbiased judgment could be pronounced, and the judgment given was one of general condemnation. Now, he said that they should have some explanation on these topics, and why those papers should have been put upon the table previous to the debate on the address in answer to the speech from the throne. He believed it took him five or six hours to read the papers over, and now to go into particulars would be too long an affair, and if he did, there was nothing new that he could bring before the House; but there were some new members whom they greeted when they came to take their seats, and who now formed part of our larger nationality, no doubt with mutual benefit to the Island of Prince Edward and the other Provinces, while he was speaking of the satisfaction which we feel at seeing these gentlemen present, he might be permitted to assume that they were not well versed in the question that he had called attention to. At the time these slurs were cast upon the country, they were happy in not being in federation. It would, in his opinion, be well for those gentlemen to go and read, and read over again, what was in the des-

patches laid on the table, before they came forward to say that they would take any part; and he thought if they did so they would come to the conclusion that something wrong had been perpetrated. He might refer to the telegrams from the Prime Minister, asking for \$20,000 for electioneering purposes, and \$10,000 more from Mr. Abbott, when the Central Committee of Montreal had received \$40,000. With these facts before them, he thought their new friends would come to another conclusion with regard to giving the Government their support. And while he was speaking of this affair of the Pacific Scandal, he might say of his colleague on his left (the Hon. Mr. Macpherson) that he had received a full justification of all his acts in reference to the matter. It had been tried to bind him up as participating in the scandalous affair; but it had been clearly shown that he came out without a stain or slur upon his reputation as an upright and honorable gentleman. It was a great satisfaction to know that when the evidence was taken, it cleared him of any stain on his character. [Hear, hear.] He was attacked when he was in the position that he could not defend himself, because secrecy was a virtue to him; but after reading the evidence, he [the Hon. Mr. Letellier de St. Just] wrote to him saying that he was glad to see that he had come out of the affair honorably. Now, as to the Pacific Railway, they were told that the charter for the construction of the road had been surrendered. Well, it would be necessary to know when that surrender took place. There was some arrangement made with Sir Hugh Allan as to the expense, and they had a right to know all about that. It was stated that there was a sum of one million involved, which the Receiver General said was of such a character whether in cheques or gold as to be of good value, while on the other hand it was alleged to be in blank cheques. It would be well for the people to know whether these deposits were satisfactory or otherwise. He was persuaded that it would be of great advantage to the country if the road could be built in such a time as would suit the means of the country. It was of the greatest importance that they should have communication with those Provinces that were coming into the Dominion, and the means of opening up the country. Now, as to the question itself, he said the sooner it was done the better, and the sooner would this country improve in wealth. If it can be built with prudence by the State, it would be because the

wealth of the country allowed of its being built. As to the measures that were to be submitted to that House for its consideration, there was one upon which legislation was necessary, but which had been omitted, a law to provide against corruption at elections. He regretted that such a law was not passed before the last election. He hoped before long to see such a law as would bring public men on each side to see it to be their duty to prevent every kind of abuse of the franchise and the use of money at elections. As to the establishment of a Court of Appeals, he thought it highly necessary. In conclusion he had only to say, that he would try to co-operate with those who had the power in their hands to enable them to carry on such legislation as would be beneficial to the country. He would not show any factious opposition. That he believed was well known to his friends on his side of the House, but he would try to help even the present Government. At all events he would offer no opposition, and with these observations he would take his seat, merely remarking that he had been driven against his will to make the observations that had fallen from him.

Hon. Mr. CAMPBELL made some observations to show the material prosperity of the country under the present administration.

Hon. Mr. DICKEY said he did not rise for the purpose of taking any part in the debate, but he thought the House would scarcely expect him to pass by in silence the remarks that had been made on the Oaths Bill. It was natural that his friend should feel some little irritation when he found it proved that he was wrong in his opinion by the highest authority in England. He (Mr. Dickey) claimed no credit because he was right in the view he took. He might have let the matter pass had it not been said that it was a power that was inherent in the Houses of Parliament. Now it was a well known fact that in England as well as here, neither House had any such power until 1871, when it was given them by Act of Parliament; but it was not an inherent power.

Hon. Mr. LETELLIER DE ST. JUST— They had the power of legislation.

Hon. Mr DICKEY said that was arguing within a circle. It was not fair to reflect in an indirect manner upon any person because the result of what his friend announced to the House as a lawyer turned out to be contrary to the highest authority in the Empire. In all

cases of that kind, it would be well to speak with reserve and hesitation. His friend was wrong, but no doubt he did it with the best intention, and it did not detract from his high standing when it turned out that he was wrong in this instance.

Hon. Mr. MACPHERSON said he could not allow the debate to close without congratulating the House and the country on the surrender of the Pacific Railway Charter. If the course he had felt it his duty to pursue last session had contributed in any degree to bring about that result, he honestly believed he had there rendered the country good service. He believed the failure of that scheme would be for the advantage of the whole Dominion, including the distant Province of British Columbia, and that the Canadian Pacific Railway would be built earlier in consequence of the failure of the company and the surrender of the charter. The only return the country could derive from all that was injurious and deplorable that transpired during the last few months, was the failure of the arrangement made with the Pacific Railway Company, and surrender of its charter. When the measure for constructing the railway, promised by the Government, was submitted to the Senate, he (Mr. Macpherson) would be prepared to take a part in discussing it. He would be in favor of constructing the railway as a public work, just as rapidly as the public interests might demand, and the finances of the country would permit. Before concluding he must thank his hon. friend, the member for Grandville, (Hon. Mr. Letellier de St. Just) for his kind expressions.

Hon. Mr. CHRISTIE said he did not intend moving any amendment to the address in answer to the speech from the Throne, but desired to congratulate his honorable friends who had moved and seconded the answer. The mover's speech was characterized with great moderation, and he referred to certain passages in the speech in a very appropriate way, but as this was the most important crisis that the country had ever passed through, he thought the mover might have referred at some length to the second and third paragraphs in the speech. No doubt he thought that was better omitted, from his point of view. Still he (Mr Christie) could not allow the occasion to pass without recording his solemn conviction that this was the most solemn trial through which the country had ever passed. The question that was involved in this crisis was that of the good government of the country, and of purity of administra-

tion. When they looked to all the surroundings of the Pacific charter, and the efforts that had been made to elicit the facts connected with the giving of that charter, he could only say that he saw no reason to change the opinion which he held when he felt it to be his duty to move for a committee of that House to enquire into the facts connected with the giving of that Charter. However, he had the mortification to be refused. One of the reasons for that refusal was that a similar committee had been asked for in the House of Commons, but he maintained that he was entitled to have had that committee in order that the Senate might have an independent enquiry into the facts. He might also mention the disallowance of the Oath's Bill, and he wished to allude to the facts in justification of his honorable friend opposite [Mr. Letellier.] That Bill was introduced into the Commons on one day and passed through the several subsequent stages on the next. The Bill came up to the Senate, and after some hesitation his hon. friend, the Minister of the Interior, undertook to father that bill. Further, they were justified in supposing that the Government of this country advised His Excellency to assent to it.

Hon. Mr. CAMPBELL remarked that there were strong misgivings on the part of the Attorney General from the first, as whether the bill would be allowed by the Imperial Government.

Hon. Mr. CHRISTIE admitted that, because the Attorney General said in the written opinion which he gave Lord Dufferin, not as the adviser of the Crown, but as a lawyer he doubted it. However, it could not be regarded in any sense as a party measure, receiving as it did the unanimous assent of the Parliament of this country. He asked was it wrong that the Parliament of this country should require to get substantial reasons on the part of the law officers of the Crown of England for the disallowance of the bill? He insisted that they had a right to know what those reasons were, but instead of any reason being given, they were simply furnished with the fact that the bill had been disallowed. Now this was a bill solely relating to the internal economy of Parliament, and it was sent home singly and contrary to the usual practise which was to send the volume of Statutes for revision by the Imperial authorities, and it was received at the Colonial Office on the 22nd of May according to Lord Kimberley's letter. The committee of enquiry adjourned to meet in Montreal on the 2nd July. The

interval between the 22nd May and the 1st of July passed before it was made known that the bill had been disallowed; but on the 1st of July, the day before the committee met, the fact was made known by Proclamation. Now he held that this was a sufficient interval in which to have done one of two things, either to have legalized that bill, or to have so amended the British North America Act, as would have put this Parliament in such a position as would have enabled them to clothe their committee with power to take evidence under oath. They had no evidence that any such course was ever suggested to Mr. Gladstone, who could not have refused it as the House of Commons had so recently passed a similar bill. Now speaking with all due deference on this subject, and in justification of the position taken by his hon. friend opposite as well as of others, he held that it was the opinion of the Government that the bill was legal when they advised His Excellency to assent to it. But the 91st clause of the British North America Act was the one relied on. That, however, was not the only clause in the Act giving the Parliament of this country power to deal with this question. By the 91st clause of the British North America Act, the legislature of this country has power to enact measures for the good government of the country, and that surely included such a measure as they had passed. But the 18th clause referred to the internal economy of Parliament and under that also they had the power they sought. [The hon. gentleman here quoted from the Act and proceeded]. There was another point connected with this fact. What was the Parliament of this country? Was it not the highest inquisitorial court in the land? And were they to be told that while they had the power to erect courts and clothe those courts with all the necessary machinery to carry which acts into effect,—that Parliament that has the power to clothe police magistrates with power to take evidence upon oath, had not the power to legislate in such a way as to clothe its own Committee with that power? To show how unwise it was for the Home Government to interfere in the way they had done, he quoted from the Colonial Policy of Lord John Russell's Administration, by Earl Grey as follows: "In a colony like Canada, where representative institutions have attained their full development, and a Governor is aided in his administrative duties by Ministers who are required to possess the confidence of the Legislature, exceedingly little inter-

ference on the part of the Government at home seems to be required. In colonies where this system of Government is in successful operation, the Home Government should, in my opinion, attempt little (except in those rare cases where Imperial interests or the honor of the Crown are affected by local measures or proceedings), beyond advising the Colonial Authorities, and checking, any ill-considered and hasty measure they may be inclined to adopt." Now it could not be urged that the Oaths' Bill affected Imperial interests or the honor of the Crown. Then again, to quote another passage, "These rules, as to the degree of interference to be exercised by the Secretary of State, are equally applicable to the legislative and executive measures of the local authorities in the Colonies; but while I am of opinion that the authority of the Crown, of which the Secretary of State is the depository, should be used in all cases with great caution, and in colonies possessing representative institutions with extreme forbearance, I cannot concur with those who would prohibit all interference on the part of the Home Government in the internal affairs of the Colonies." But still further the same book said; "But even where the interference of the Home Government is not necessary for the protection of a part of the population, too ignorant and too weak to protect itself, there is another consideration which may require the exercise of some control over the proceedings of the Local Governments with regard to the internal affairs of the Colonies. Every act of these Governments, whether legislative or executive, is done in the name and by the authority of the Sovereign; hence, the honor of the Crown, which it is of the highest importance to the whole Empire to maintain, unimpaired, must be compromised by any injustice or violation of good faith, which it has the power to prevent, being committed by the local authorities. It is, therefore, the duty of those by whom the Imperial Government is conducted, and to whom, as the responsible servants of the Crown, its honor is entrusted, to take care that this honor does not suffer by the Sovereign's being made a party to proceedings involving a departure from the most scrupulous justice and good faith towards individuals or towards particular classes of the inhabitants of any of our Colonies. In the Colonies which are most advanced in civilization and in the exercise of the powers of self government, it is not superfluous to insist on this consideration; on the contrary, it is in Colonies having popular forms of Government that there is per-

haps most danger that in the excitement of party-contests, to which such Governments are peculiarly liable, measures not consistent with strict justice may sometimes be attempted, and may require to be checked by the authority of the Crown, entrusted to the Secretary of State. Any interference on the part of that Minister with measures of purely internal administration in the Colonies to which I am now adverting, is to be deprecated, except in very special circumstances, the occurrence of which must be exceedingly rare. Now, surely the disallowance of the Oaths Bill was an interference with the internal administration of the affairs of this country. He felt that the charges brought against the Ministers were of the gravest character, and he was surprised that honorable gentlemen did not retire from the Administration. The charges were of the most scandalous character; (laughter) yes, and the evidence that was taken before the Commission had proved them to be scandalous. He was surprised at hon. gentlemen laughing when such a grave subject was under consideration. As he had said before, the evidence showed that the Government had taken large sums of money, which they used, according to their own confession, for the corruption of the people. This was conduct on the part of the Ministers, which struck at the root of the liberty of the country, and it argued very little for the morality of the man who would attempt to get up a laugh on such a matter. That large sums of money were received by the Government was proved by the sworn testimony of members of the Government themselves. It was plain that the Government of this country got large sums of money, that they got it on condition that they would grant the contract to Sir Hugh Allan, and, in his opinion, the evidence would convict in any court of justice. He had no intention of proposing any amendment, but he thought it his duty to make this explanation.

The motion was then put and adopted.

Hon. Mr. CAMPBELL proposed that the Address be presented to His Excellency by such members of the House as are members of the Privy Council.

The motion was adopted, and the House adjourned at five o'clock.

TUESDAY, 28th Oct. 1873.

The SPEAKER took the chair at three o'clock.

Hon. Mr. CAMPBELL laid before the House, the names of the members, and

asked the House to form them into Standing Committees.

Hon. Mr. CHRISTIE gave notice that on Thursday he will move that an humble address be presented to His Excellency the Governor General, praying that His Excellency may be pleased to cause to be laid before the Senate, copies of all correspondence and papers which may have passed between the Government of Canada or any member thereof, and the Canada Pacific Railway or Sir Hugh Allan, or any member of that Company, relating to the surrender of the charter granted to the said Company, and to the repayment to the shareholders of the deposits of ten per centum in their respective shares alleged to have been paid by them into the hands of the Receiver General on the stock said to have been subscribed by them or their attorneys; also, all other documents relating to said Company since the date of the last return.

Hon. Mr. DICKEY gave notice that on Thursday he will ask "when do the Government intend to invite tenders for the construction of the Baie Verte Canal.

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

WEDNESDAY, 29th Oct.

THE SPEAKER took the chair at 3 o'clock.

A petition was presented from Hudson, Stigerwald & Co., and others, of the City of Toronto, praying for an Act of Incorporation as the "London and Canada Bank."

Hon. Mr. RYAN gave notice that on Thursday he will ask whether an Act to amend the Law of Copyright, passed during the session of 1872, and reserved for the signification of Her Majesty's pleasure, has as yet received the Royal assent, and if not, whether it is the intention of the Government to introduce a measure relating to the same subject during the present session of Parliament.

Hon. Mr. CAMPBELL—I believe our business is over, and I therefore move, seconded by the Hon. Mr. HAMILTON, that the House be adjourned.

The motion was agreed to, and the House adjourned.

THURSDAY, Oct 30.

The SPEAKER took the chair at three o'clock, and on the question being put for presenting petitions,

Hon. Mr. McMASTER presented a petition from the Great Western Railway Company, praying for powers to construct a branch railway from a point in the said railway, at or near the Village of Allanborough, in the County of Welland, to some point on the Canada Air Line Branch of the said railway, and for certain further powers, privileges, and advantage; in their petition mentioned.

Hon. Mr. RYAN presented a petition of Charles J. Coursol and others, of the City of Montreal, praying for an Act to incorporate the Societe Permanente de Construction Royale.

The motion for an address to His Excellency the Governor General, of which the Hon. Mr. Christie had given notice, as to the correspondence and papers in reference to the Canada Pacific Railway, and the surrender of the charter, was ordered to stand over until Tuesday.

Hon. Mr. DICKEY, in accordance with notice of motion previously given, asked "when do the Government intend to invite tenders for the construction of the Baie Verte Canal?"

Hon. Mr. CAMPBELL replied that it would take place in about 15 days. The last study of the engineers was now undergoing the supervision of the Board of Works, and he understood the matter would be settled in about 15 days.

Hon. Mr. CAMPBELL again rose and said that he understood that all the business was concluded for the day, and that it would suit several Senators that they should not meet again until Monday evening. He would therefore move that when the House adjourned to-day, it stands adjourned until Monday evening at 8 o'clock.

Hon. Mr. HAMILTON seconded the motion.

Hon. Mr. LETELLIER DE ST. JUST remarked that in case anything should arise in the meantime, the hon. gentleman who had moved the adjournment until Monday, must consider that the responsibility would rest with him.

Hon. Mr. CAMPBELL replied:—The responsibility rests with me to meet the convenience of hon. members. The motion for Standing Committees will be continued until Monday evening. I move that the House be now adjourned.

The motion was carried, and the House adjourned at twenty minutes past three o'clock.

MONDAY, Nov. 3, 1873.

The House met at 8 o'clock.
The Hon. Mr. HAYTHORNE, of Prince

Edward Island, presented the writ summoning him to the Senate, subscribed the usual oath, and was conducted to his seat.

The SPEAKER read a certificate of the nomination to the Senate, of F. X. Trudelle, Esq., of Montreal, in the room of Hon. Mr. Renaud.

On motion of Hon. Mr. AIKINS, seconded by Hon. Mr. Hamilton, of Kingston, the usual standing committees were appointed.

The Senate then adjourned till Tuesday, 4th, at three o'clock.

TUESDAY, Nov. 4, 1873.

The House met at three o'clock.

After some routine business, on motion of Hon. Mr. Campbell, the name of Hon. Mr. Bellerose was added to the Printing Committee, and Hon. Messrs. Haythorne and Bellerose were added to the Library and Private Bills Committees.

The House then adjourned till three o'clock on Wednesday, 5th.

WEDNESDAY, Nov. 5, 1873.

The House met at three o'clock.

The honorable leader of the Government (Mr. Campbell) and Hon. Mr. Aikins being absent, the House adjourned during pleasure. In a few minutes,

Hon. Mr. CAMPBELL appeared and proceeded to his place. He then addressed the House as follows:—I was obliged to ask an honorable friend near me to move the adjournment of the House for a few minutes, inasmuch as I was detained at a meeting of the Privy Council. I dare say, hon. gentlemen, the announcement I am about to make has been anticipated in the minds of most of you. When this session of Parliament was called, the Government had reason to believe they would receive a support in another place which would enable them to carry on the business of the country satisfactorily and with advantage to the country. Honorable gentlemen all know the motion made by the gentleman in the other House, who represents the County of Lambton, upon the Address, and also the amendment to that motion proposed by the hon. gentleman who represents Pictou. The debate which has been going on in that branch of the Legislature upon the amendment to the amendment, namely, that of the hon. member for Pictou, up to

last night, left the Government in no doubt of the result of the question upon that particular motion, or of the fact that they would still have in that House a majority which would enable them to carry on the business of the country. The proceedings, however, yesterday, the course of the debate, and the communications which have reached the Government since, have led the Ministry to the conclusion that that state of things no longer exists, and that they are not now in command of a majority in that House, which would enable them to conduct the public business satisfactorily. Under these circumstances the Right Hon. Sir John Macdonald has tendered to His Excellency the resignation of the Ministry, and I have the permission of His Excellency to state to the House, that that resignation has been accepted, and that the Governor General has sent for the hon. member for Lambton, and entrusted to that gentleman the duty of the formation of a new Ministry. I will now move the adjournment of the House, so as to afford the member for Lambton an opportunity of forming a new Government. Before doing it, however, I will, with the permission of the House, take this opportunity of thanking those friends of the Government in this House who have so long, and so cordially lent it and myself their support in the conduct of the affairs of the Government in this House. It has been my good fortune for some years, ever since Confederation, to be principally charged with the conduct of those affairs; and uniformly during the whole of that period, I have, from the members of the House, who supported the Government, met with the support which deserves and always has received my deep gratitude. I desire in speaking, as, I suppose, I am speaking for the last time from this place, to return thanks for that support, and to express the grateful feelings which I entertain with reference to it. With these observations, I beg to move the adjournment of the House, and that it stand adjourned till Friday.

The House then adjourned.

FRIDAY, Nov. 7, 1873.

The Senate met at three o'clock p.m.

Hon. F. X. TRUELLE—The newly appointed Senator was introduced by Hon. Messrs. Campbell and Bellerose when he subscribed the usual oath and took his seat.

THE NEW MINISTRY.

Hon. Mr. LETELLIER DE ST. JUST said:—I feel it my duty at this period of the Session, to give to the House the fullest information in my power with regard to the formation of the new Cabinet under the Administration of the Hon. Mr. Mackenzie. The following are the names of the Ministers, with their portfolios:

Mr. Mackenzie, Premier, Public Works. Mr. A. A. Dorion, Justice; Mr. Smith, (N.B.), Marine and Fisheries; Mr. Letellier de St. Just, Agriculture; Mr. Cartwright, Finance; Mr. Laird, Interior; Mr. Christie, Secretary of State; Mr. Burpee, Customs; Mr. D. A. Macdonald, Postmaster; Mr. Coffin, Receiver; General; Mr. Fournier, Inland Revenue; Mr. Ross, (N. S.) Militia; Messrs. Blake and R. W. Scott, Members of the Privy Council, without portfolios.

Mr. LETEELLIER then moved that the House adjourn during pleasure, to

give ample time to the Government to consider what should be done under existing circumstances.

The House adjourned during pleasure.

Shortly after, His Excellency arrived, and the Commons having been summoned, he was pleased to prorogue Parliament in the following words.—

Hon. Members of the Senate and Gentlemen of the House of Commons:

In consequence of the resignation of my late Ministers during the debate on the address I have called a fresh administration to my Council.

A large number of seats in the House of Commons having thus become vacant, I have decided with due regard to the circumstances of the case, that it will be most convenient in the interest of the public business to prorogue this Parliament.